

Water Resource Plan assessment report

Proposed NSW Murray–Darling Basin
Porous Rock Water Resource Plan

November 2022

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Acknowledgement of the Traditional Owners of the Murray–Darling Basin

The Murray–Darling Basin Authority pays respect to the Traditional Owners and their Nations of the Murray–Darling Basin. We acknowledge their deep cultural, social, environmental, spiritual and economic connection to their lands and waters.

The guidance and support received from the Murray Lower Darling Rivers Indigenous Nations and our many Traditional Owner friends and colleagues is very much valued and appreciated.

Aboriginal people should be aware that this publication may contain images, names or quotations of deceased persons.

This document forms the report of the Murray-Darling Basin Authority's (the Authority's) assessment of the NSW Murray–Darling Basin Porous Rock proposed water resource plan ('proposed WRP') against the requirements of Chapter 10 of the *Basin Plan 2012* (Cth) ('Basin Plan') version F2021C01067.

At the end of this document, assessment tables are included to document the Authority's assessment against the requirements of Chapter 10 – Water resource plan requirements of the Basin Plan. However, it is important to note the Authority assessed the proposed WRP against the Chapter 10 requirements as specified in the Basin Plan, and not against the requirements as set out in the 'Summary of assessment test' column. The purpose of the text in the 'Summary of assessment test' column is to assist the assessor and reader to identify which Basin Plan requirement is being assessed, and not to indicate the specific test that was applied.

The below table identifies the WRP documents that were subject of MDBA's assessment, the abbreviations used in this assessment report and the record management identifier.

Date provided to the MDBA	Title	MDBA abbreviation	MDBA reference
28/07/22	NSW Murray–Darling Basin Porous Rock Water Resource Plan. GW6 Water Resource Plan area Inclusive of the following Schedules: Schedule B. Water Resource Plan index Schedule G. Information and methods used in preparing WRP Schedule I. Information relating to take for consumptive use	Proposed WRP Schedule B Schedule G Schedule I	D22/20853
28/07/22	<i>Water Sharing Plan for the Murray–Darling Basin Porous Rock Groundwater Sources 2020</i>	Schedule A: NSW Murray–Darling Basin Porous Rock WSP 2020	D22/20855
28/07/22	NSW Murray–Darling Basin Porous Rock Water Resource Plan Consultation Report. Schedule C	Schedule C	D22/20849
28/07/22	NSW Murray–Darling Basin Porous Rock Water Resource Plan Risk Assessment. Schedule D	Schedule D	D22/20847
28/07/22	NSW Murray–Darling Basin Porous Rock Water Resource Plan Incident Response Guide. Schedule E	Schedule E	D22/20844
28/07/22	NSW Murray–Darling Basin Porous Rock Water Resource Plan Water quality management plan. Schedule F	Schedule F	D22/20842
28/07/22	NSW Groundwater Environmental Monitoring, Evaluation and Reporting Plan. Schedule H	Schedule H	D22/20840
28/07/22	NSW Murray–Darling Basin Porous Rock Water Resource Plan Area description. Appendix A	Appendix A	D22/20836
28/07/22	Culturally Appropriate First Nations Consultation with Barapa Barapa Nation. Attachment A to Schedule C	Barapa Barapa Consultation Report	D22/20790
28/07/22	Culturally Appropriate First Nations Consultation with Maraura Nation. Attachment D to Schedule C	Maraura Consultation Report	D22/20789
28/07/22	Culturally Appropriate First Nations Consultation with Muthi Muthi Nation. Attachment E to Schedule C	Muthi Muthi Consultation Report	D22/20788
28/07/22	Culturally Appropriate First Nations Consultation with Nari Nari Nation. Attachment F to Schedule C	Nari Nari Consultation Report	D22/20787
28/07/22	Culturally Appropriate First Nations Consultation Report with Ngarabal Nation. Attachment G to Schedule C	Ngarabal Consultation Report	D22/20786
28/07/22	Culturally Appropriate First Nations Consultation Report with Ngiyampaa Nation. Attachment H to Schedule C	Ngiyampaa Consultation Report	D22/20785
28/07/22	Culturally Appropriate First Nations Consultation Report with Wadi Wadi Nation. Attachment K to Schedule C	Wadi Wadi Consultation Report	D22/20784

Date provided to the MDBA	Title	MDBA abbreviation	MDBA reference
28/07/22	Culturally Appropriate First Nations Consultation Report with Wemba Wemba Nation. Attachment L to Schedule C	Wemba Wemba Consultation Report	D22/20783
28/07/22	Culturally Appropriate First Nations Consultation Report with Wiradjuri Nation. Attachment N to Schedule C Volume 1	Wiradjuri Consultation Report	D22/20782
28/07/22	Culturally Appropriate First Nations Consultation Report with Wiradjuri Nation. Attachment N to Schedule C Volume 2	Wiradjuri Consultation Report	D22/20781
28/07/22	Culturally Appropriate First Nations Consultation Report with Wiradjuri Nation. Attachment N to Schedule C Volume 3	Wiradjuri Consultation Report	D22/20779
28/07/22	Culturally Appropriate First Nations Consultation Report with Yorta Yorta Nation. Attachment O to Schedule C	Yorta Yorta Consultation Report	D22/20778
28/07/22	<i>Water Act 2007</i> (Cth)	Water Act 2007	D22/20791
28/07/22	<i>Water Management Act 2000</i> (NSW)	WMA 2000	D22/20793
28/07/22	<i>Water Management Act 2000</i> (NSW) version as at 23 November 2012	WMA 2000 (2012 version)	D22/20798
28/07/22	<i>Water Management (General) Regulation 2018</i> (NSW)	WM Regulation 2018	D22/20797
28/07/22	Basin Plan 2012 – version F2021C01067	Basin Plan	D22/20804
28/07/22	<i>Water Sharing Plan for the Murray–Darling Basin Porous Rock Groundwater Sources 2011</i>	WSP MDB Porous Rock 2011	D22/20796
28/07/22	Namoi Long-Term Water Plan (draft)		D22/20811; D22/20810
28/07/22	Namoi Long-Term Water Plan (final)		D22/20809; D22/20806
28/07/22	Gwydir Long-Term Water Plan (draft)		D22/20827; D22/20826
28/07/22	Gwydir Long-Term Water Plan (final)		D22/20825; D22/20824
28/07/22	Macquarie-Castlereagh Long-Term Water Plan (draft)		D22/20823; D22/20822
28/07/22	Macquarie-Castlereagh Long-Term Water Plan (final)		D22/20821; D22/20820
28/07/22	Murrumbidgee Long-Term Water Plan (draft)		D22/20815; D22/20814
28/07/22	Murrumbidgee Long-Term Water Plan (final)		D22/20813; D22/20812

Date provided to the MDBA	Title	MDBA abbreviation	MDBA reference
28/07/22	NSW Murray and Lower Darling Long-Term Water Plan (draft)		D22/20819; D22/20818
28/07/22	NSW Murray and Lower Darling Long-Term Water Plan (final)		D22/20817; D22/20816
28/07/22	NSW Border Rivers Long-Term Water Plan (draft)		D22/20830
28/07/22	NSW Border Rivers Long-Term Water Plan (final)		D22/20829
28/07/22	Determination for the Barkandji Traditional Owners #8 (Parts A and B) National Native Title Tribunal references NCD2015/001 and NSD6084/1998		D22/20800; D22/20799
28/07/22	State Water Strategy		D22/20792
28/07/22	A Pathway to Cultural Flows in Australia		D22/20803
28/07/22	Cultural Flows – A guide for First Nations		D22/20802
28/07/22	Cultural Flows – A guide for water managers		D22/20801

Table explaining the abbreviations used throughout this document

Term	Expansion/Explanation of the Term
ANZECC	Australia and New Zealand Environment and Conservation Council
Authority, the	Refers to the seven-member Murray-Darling Basin Authority
Basin Plan	Refers to the relevant version of the Basin Plan 2012 (Cth) against which this WRP has been assessed, being F2021C01067.
BDL	Baseline Diversion Limit
BWS	Basin-wide Environmental Watering Strategy (MDBA 2019)
CEWH	Commonwealth Environmental Water Holder
EWP	Environmental Watering Plan
EWR	Environmental Watering Requirement
GAB	Great Artesian Basin
GDE	Groundwater-dependent ecosystem
GL	Gigalitre (1,000 Megalitres)
HEW	Held Environmental Water
ILUA	Indigenous Land Use Agreement
LALCs	Local Aboriginal Land Councils
LTAA	Long-term average annual
LTWP	Long-term Watering Plan
MAR	Managed Aquifer Recharge
ML	Megalitre (1,000,000 Litres)
MDBA	Refers to the agency known as the Murray-Darling Basin Authority
MLDRIN	Murray Lower Darling River Indigenous Nations
NAISMA	Northern Australian Indigenous Land and Sea Management Alliance
NBAN	Northern Basin Aboriginal Nations
NTSCorp	Native Title Services Corporation
NNTT	National Native Title Tribunal
PEA	Priority Environmental Assets

Term	Expansion/Explanation of the Term
PEF	Priority Ecosystem Functions
PEW	Planned Environmental Water
SDL	Sustainable Diversion Limit
WQM	Water Quality Management
WQMP	Water Quality Management Plan
WRP	Water Resource Plan
WSP	Water Sharing Plan

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Overview

1. This Water Resource Plan assessment report summarises the reasons supporting the Murray-Darling Basin Authority's recommendation to accredit the proposed NSW Murray-Darling Basin Porous Rock water resource plan. On 28 July 2022, NSW submitted the proposed WRP.
2. This report includes:
 - a. a short outline of the structure of the proposed WRP;
 - b. a summary of key issues the proposed WRP presents;
 - c. an assessment of the consistency of the proposed WRP with each Chapter of the Basin Plan;
 - d. an assessment of the way in which the proposed WRP addresses each requirement in Chapter 10 of the Basin Plan.

Requirements of the *Water Act 2007* (Cth) ('the Act')

3. Section 54(1) of the Act provides that there is to be a WRP for each water resource plan area and section 55(1) of the Act requires that a WRP must provide for the management of the water resources of the WRP area. The proposed WRP is for NSW Murray-Darling Basin Porous Rock and provides for the management of the water resources of that area.
4. The Act requires that a WRP must be consistent with the relevant Basin Plan, including:
 - a. section 55(2)(a) of the Act requires that a WRP must be consistent with the requirements for WRPs - these are set out in Chapter 10 of the Basin Plan; and
 - b. section 55(2)(b) of the Act requires that a WRP must be consistent with 'any long-term annual diversion limit for the water resources of the WRP area (or for a particular part of those water resources)' - these limits are set by Chapter 6 of the Basin Plan.
5. In considering whether a WRP is consistent with the relevant Basin Plan, the Authority must have regard to the legislative framework within which a proposed WRP operates (section 55(3) of the Act).
6. The relevant version of the Act is C2021C00539, registered on 15 November 2021, with commencement date of 1 September 2021.

Relevant version of the Basin Plan

7. The term 'relevant Basin Plan' is defined as the version of the Basin Plan that the Minister applies in relation to a WRP under section 56(2) (section 55(2) of the Act).
8. The Act provides that the relevant version will be the version of the Basin Plan in effect 2 years before a proposed WRP is given to the Minister under section 63(3) (per Item 1 of the table in section 56(2A) of the Act) or, the version of the Basin Plan which is nominated by a Basin State in writing at the time a proposed WRP is provided (per Item 4 of the table in section 56(2A) of the Act). A version nominated by a Basin State must sit within certain bounds, including that the Basin Plan which is nominated must not be one in effect more than 2 years earlier than when the WRP is given.
9. In this case New South Wales nominated a version of the Basin Plan for the purposes of section 56(2A).

10. The relevant Basin Plan is version F2021C01067, registered on 27 October 2021 and in force as of the date of the Authority's recommendation.

Legislative framework within which the proposed WRP operates

11. Section 55(3) of the Act requires that in determining whether a proposed WRP is consistent with the Basin Plan, regard must be had to the legislative framework within which the proposed WRP operates.
12. The purpose of the proposed NSW Murray-Darling Basin Porous Rock WRP is to set out how NSW will meet its obligations under the Murray-Darling Basin Plan 2012 in the NSW Murray-Darling Basin Porous Rock WRP area. The proposed NSW Murray-Darling Basin Porous Rock WRP sets out arrangements for water sharing within the sustainable diversion limits for the WRP area, establishes rules to meet environmental and water quality objectives and will take into account and manage or mitigate potential and emerging risks to water resources. The proposed WRP also identifies Indigenous objectives and outcomes for water resource management based on the values and uses associated with those water resources.
13. The water sharing arrangements set out in the proposed NSW Murray-Darling Basin Porous Rock WRP include relevant sections of the *Water Management Act 2000* (NSW) and its subsidiary water sharing plans, which provide the primary legislative framework in NSW within which the proposed NSW Murray-Darling Basin Porous Rock WRP will operate. Please refer paragraphs 14-18 for full details.
14. The objects of the *Water Management Act 2000* (NSW) are to provide for the sustainable and integrated management of the water sources of NSW for the benefit of both present and future generations, particularly recognising the significant social, economic, cultural, heritage and environmental benefits that result from the sustainable and efficient use of water.
15. The *Water Management Act 2000* (NSW) establishes that the principles of adaptive management should be applied and should be responsive to monitoring and improvements in understanding of ecological water requirements.
16. New South Wales Water Sharing Plans (WSPs) are the primary regulatory instruments under the *Water Management Act 2000* (NSW) for the management of water resources in the state. The NSW process of developing WRPs includes replacing, revoking, remaking or amending existing water sharing plans. Provisions within the WSPs provide a mechanism that enable NSW WRPs to meet many of the accreditation requirements of Chapter 10 of the Basin Plan 2012.
17. The accredited South Australian Murray Region, Queensland Border-Rivers Moonie and Wimmera-Mallee (groundwater) Water Resource Plans are legislative instruments in force under the *Water Act 2007* (Cth) which are relevant to water management arrangements in the NSW Murray-Darling Basin Porous Rock WRP area.
18. Related NSW legislation may also be cited in the WRP that may directly or indirectly affect water and other natural resource management in the NSW Murray-Darling Basin Porous Rock WRP area include the:
 - i. *Biodiversity Conservation Act 2016* (NSW)
 - ii. *Dams Safety Act 2015* (NSW)

- iii. *Environmental Planning and Assessment Act 1979* (NSW)
 - iv. *Fisheries Management Act 1994* (NSW)
 - v. *Heritage Act 1997* (NSW)
 - vi. *Independent Pricing and Regulatory Tribunal Act 1992* (NSW)
 - vii. *Local Land Services Act 2013* (NSW)
 - viii. *Local Government Act 1993* (NSW)
 - ix. *National Parks and Wildlife Act 1974* (NSW)
 - x. *Natural Resources Access Regulator Act 2017* (NSW)
 - xi. *Protection of the Environment Administration Act 1991* (NSW)
 - xii. *Protection of the Environment Operations Act 1997* (NSW)
 - xiii. *Public Health Act 2010* (NSW)
 - xiv. *State Emergency and Rescue Management Act 1989* (NSW)
 - xv. *Water Act 1912* (NSW)
 - xvi. *Water NSW Act 2014* (NSW)
 - xvii. *Water Industry Competition Act 2006* (NSW)
19. The proposed NSW Murray-Darling Basin Porous Rock WRP uses specified provisions of relevant Acts, regulations and legislative instruments for the purposes of either:
- i. incorporating the content for the purposes of accreditation into the WRP in order to satisfy particular requirements in Chapter 10 of the Basin Plan, or
 - ii. providing additional, supporting information to provide context for water resource management within the WRP area and the state.
20. Accordingly, where such provisions have been put forward for accreditation, the Authority has considered whether those provisions are consistent with Chapter 10 of the Basin Plan, and the rest of the Basin Plan more generally, as well as having regard to the broader statutory framework and context within which this proposed WRP will operate.
21. The Authority has had regard to this legislative framework within which the proposed WRP operates in considering whether it is consistent with the Basin Plan, as is required by section 55(3) of the Act.

Structure of the proposed WRP

22. The proposed WRP consists of several documents. For information, the main document is the 'NSW Murray-Darling Basin Porous Rock Water Resource Plan (GW6 Water Resource Plan Area)'.
23. The main document is presented in eight sections, set out as follows:
- 1. Introduction
 - 2. Identification of the WRP area and other matters
 - 3. Risks to water sources
 - 4. Environmental water, cultural flows and sustainable management
 - 5. Take for consumptive use

6. Water quality management
 7. Measuring and monitoring
 8. Information used to prepare the WRP
24. Throughout the main document, the text that appears in blue highlighted text boxes is submitted for accreditation and is considered by the Authority accreditation purposes under the Act and Basin Plan. Through referencing in the 'blue box text', the proposed WRP also incorporates specified content contained in nine (9) Schedules to the WRP marked A through to I. It also refers to Appendix A that is not incorporated for accreditation. These schedules and appendix also provide further supporting and contextual information for the proposed WRP, as well as being referenced by accreditation material.
 25. Each of the substantive sections of the main document of the proposed WRP address one or more requirements within Chapter 10 of the Basin Plan. To assist with locating these, Schedule B sets out where each accreditation requirement of Chapter 10 has been addressed within the proposed WRP.

Consultation

26. The proposed WRP contains a description of the consultation undertaken in relation to the proposed WRP. This has included community consultation as contemplated by Part 6 of Chapter 10, consultation with affected States in satisfaction of the requirement in section 63(2) of the Act and consultation with relevant Indigenous organisations in relation to Part 14 of Chapter 10 of the Basin Plan.

Part 14 consultation with relevant Indigenous organisations

27. The expectation is that a Basin State has undertaken effective and appropriate consultation with all relevant Aboriginal Nation groups in a WRP area during the development of a WRP and has consulted with relevant Indigenous organisations. This assessment report does not generally distinguish between the terms Aboriginal and Indigenous. Consistent with section 4 of the Act references to Aboriginal or Indigenous people include both Aboriginal and / or Torres Strait Islanders who may have connection to the WRP area.
28. The process undertaken by NSW for consultation with Indigenous peoples and organisations culturally connected with the NSW Murray-Darling Basin Porous Rock WRP area is outlined in Schedule C of the proposed WRP. Following that consultation, a more detailed discussion of the objectives and outcomes for Indigenous values and uses developed through the consultative process is provided in the Nation Consultation Reports for the Barapa Barapa, Maraura, Muthi Muthi, Nari Nari, Ngarabal, Ngyiampaa, Wadi Wadi, Wemba Wemba, Wiradjuri and Yorta Yorta Nations as Attachments A, D-H, K, L, N and O of Schedule C. Organisations including the NSW Aboriginal Land Council, Local Aboriginal Land Councils, Native Title groups and other relevant Aboriginal organisations have also been consulted.
29. In addition, the proposed WRP and Schedule C set out information about the fact that consultation was not able to be completed with the Barkandji/Maljangapa, Gomeroi, Tati Tati

and Weki Weki Nations, and that as a consequence Nation Consultation Reports are not yet available for these nations. Further detail about the circumstances relating to each of these Nations is provided in the Part 14 assessment.

30. The Authority sought advice from First Nations on whether the proposed WRP is consistent with the requirements regarding Indigenous values and uses in Part 14 of Chapter 10 of the Basin Plan. This First Nations advice, received on 7 October 2022 was provided by Murray Lower Darling Rivers Indigenous Nations (MLDRIN), including feedback in the form of a separate attachment from the Gomeroi Nation. In preparing this advice, MLDRIN undertook consultation with relevant First Nations in the WRP area on the adequacy of the Part 14 content of the proposed WRP.

Consultation with adjacent states

31. Section 63(2) of the Act requires that if a WRP area is adjacent to a WRP area in another Basin state, the proposed WRP must be prepared in consultation with that State. The WRP area is adjacent to water resource plan areas in Queensland, Victoria and South Australia. The MDBA is satisfied that the proposed WRP was prepared in consultation with these states. This is demonstrated in the material put forward to meet the requirements in section 10.07 and section 10.27 of the Basin Plan.

Key issues

Context of the WRP area

32. The NSW Murray–Darling Basin Porous Rock WRP area (GW6) includes all the porous rock water sources that are located within the NSW portion of the Basin. In general, the WRP areas include all porous rock sources that are not included in other WRPs. The WRP area also include miscellaneous, unmapped alluvial sediments that overlie outcropping porous rock groundwater sources as well as fractured rock sediments that occur within groundwater sources that are predominantly porous rock.
33. There is only minor development of groundwater resources for irrigated agriculture across the SDL resource units within the WRP area. This is primarily due to the low yields and variable salinity levels.
34. The WRP area encompasses four SDL resource units - Gunnedah–Oxley Basin MDB, Oaklands Basin, Sydney Basin MDB, and Western Porous Rock.

Management of environmental water

35. The proposed WRP identifies PEW consistently with the Act and Basin Plan requirements. Consistent with the treatment of environmental watering in the groundwater context in the Basin Plan, the rules and arrangements in the proposed WRP operate such that PEW is not managed through active environmental watering but through the protection of volumes of water from extraction.
36. While this results in a narrow set of rules and arrangements relating to PEW, other rules and arrangements throughout the WRP also contribute to environmental objectives and the management of associated risks. For groundwater, such rules include prohibitions on trade when needed to manage water levels, rules relating to the construction and placement of works (including setback distances), rules that manage significant hydrological connections

between surface and groundwater and triggers for temporary restrictions when needed to protect water levels and/or water quality.

37. Given the integrated nature of the WRP, the combined effect of PEW rules and other rules and arrangements, ensures comprehensive on-ground management that seeks to minimise adverse environmental impacts on groundwater resources and groundwater dependent eco-systems. Including these rules for accreditation means that they are recognised under the Basin Plan and the Act, helping preserve the environmental benefits through the implementation of the proposed WRP.

Water quality and water level monitoring

38. The proposed WRP incorporates measures that support the maintenance of water quality against salinity and other types of water quality degradation.
39. Section 3 of Schedule I also includes a guide to triggers and actions for determining groundwater access restrictions. This process is an essential implementation tool that is designed to respond to reduced water levels which may have localised impacts on groundwater dependent ecosystems, consumptive users, water quality and aquifer integrity.
40. While the proposed WRP meets requirements, there is scope to improve monitoring to enable it to better identify any adverse impacts which in turn will trigger responses such as the use of temporary restrictions on trade or consumptive take as well as water quality measures.
41. Schedule H notes that there is a core set of indicators that will always be monitored. These include groundwater levels and the measurement of take which informs impacts on the condition of groundwater dependent ecosystems. The Schedule also notes that more specific water quality monitoring may be undertaken in the future where there are medium and high level water quality risks. The Authority notes that most water quality risks are rated as low for this WRP area but expects that water quality monitoring will be provided in the future relevant to any medium or high level water quality risks.
42. The Authority notes that the proposed WRP includes newly mapped GDEs that are subject to confirmation and includes a commitment to establish a confirmation process by the end of 2022. The Authority further notes that monitoring through the existing bore monitoring network will be a feature of implementation of the WRP, but expects that NSW will assess the extent of monitoring to ensure that it provides sufficient coverage to give effect to the triggers in Schedule I, taking account of the location of the newly mapped and confirmed GDEs. If additional monitoring is needed, potential monitoring locations should be guided by the medium and high level risks described in Schedule D for water level decline risks and associated risks to structural integrity, GDEs and water quality of the groundwater systems.

Measuring and monitoring water take

43. The *Water Management (General) Regulation 2018* require all new and replacement meters installed from 1 April 2019 to comply with Australian Standard 4747. In addition, existing meters must comply with the standard by December 2021 for this WRP area. The Authority notes that full implementation of the new and replacement meters with the requirements of the regulations has not been achieved for a range of reasons. NSW is also providing exemptions in some circumstances.
44. While the proposed WRP meets the requirement to identify the timeframe for implementing these improvements, there is a need for NSW to support and enforce the implementation of the agreed metering standards.

Indigenous values and uses

45. First Nations' advice was sought (paragraphs 27-30 refer) on whether the proposed WRP is consistent with the requirements regarding Indigenous values and uses in Part 14 of Chapter 10 of the Basin Plan. This First Nations advice, received on 7 October 2022, was coordinated by MLDRIN. In preparing this advice, MLDRIN undertook consultation with relevant First Nations representatives from the WRP area on the adequacy of the Part 14 content of the proposed WRP. As a result of this process, MLDRIN has expressed a view that the proposed WRP is not consistent with the Basin Plan for any of the four requirements in Part 14.
46. The MLDRIN advice also contained a separate attachment setting out Gomeroi/Kamilaroi Nation's specific feedback on the proposed WRP and this feedback also expressed a view that the proposed WRP should not be accredited.
47. The MLDRIN advice raised an issue regarding NSW data-use agreement with the Maraura Nation and the extent to which the data-use agreement applies to the current circumstances. The MLDRIN advice notes that this issue has affected Maraura Nations comments regarding the proposed WRP. The Authority notes this concern and strongly encourages NSW to work closely with the Maraura Nation on these concerns.
48. The Authority's assessment has found that the proposed WRP has incorporated significant amounts of new material to meet the Indigenous values and uses requirements of the Basin Plan as compared to the 2020 version of the proposed WRP. This new material, particularly in relation to views on cultural flows (WRP s. 4.4.1); strategies to address risks to objectives and outcomes (WRP s. 3.4 and Table 3-3); native title (WRP Table 3-3 and Schedule C Table 2); and Aboriginal cultural heritage (WRP s. 1.7 and 4.4.2), addresses concerns raised in previous advice from MLDRIN about the adequacy of the Indigenous values and uses content in the 2020 proposed WRP.
49. The Authority notes that some of the views set out in the MLDRIN advice state that the rating for some requirements have been downgraded for parts of the proposed WRP compared to the 2020 version of the proposed WRP.
50. It should be noted, that the MLDRIN advice comments on the absence of sufficient explanation in the proposed WRP about why Nation Consultation Reports for Barkandji/Maljangapa, Gomeroi, Tati Tati and Weki Weki Nations have not been incorporated into the proposed WRP. In the absence of the Nation Consultation Reports or sufficient explanation for their exclusion, the MLDRIN advice finds that numerous Part 14 requirements are not met, including identification of objectives and outcomes for these Nations and hence the proposed WRP is inconsistent with the Basin Plan.
51. The Authority is advised that the MDBA has received correspondence from NSW explaining why Nation Consultation Reports for these First Nations are not available and details are provided in the assessment report below. This correspondence included the Gomeroi Native Title Water Committee's request that NSW not incorporate their Nation Report into any NSW WRPs, including this proposed WRP. In response, NSW has committed in the proposed WRP, to seek further opportunities to consult with the Barkandji/Maljangapa, Gomeroi, Tati Tati and Weki Weki Nations with the aim to finalise the identification of objectives and outcomes based on each Nation's values and uses for the water resources of the WRP area and to incorporate those objectives and outcomes – subject to each Nations' agreement - into the WRP. The proposed WRP also commits NSW to report back to the MDBA regarding progress within two years of accreditation.
52. Consequently, and despite MLDRIN advice suggesting that none of the requirements in Part 14 have been met, this assessment has confirmed that the proposed WRP contains sufficient

material to address the requirements and issues raised previously by First Nations in the WRP area. On this basis, the Authority has determined that the Indigenous values and uses content of the proposed WRP is consistent with the Basin Plan.

53. While the proposed WRP meets requirements, the Authority recognises that more work is needed by NSW to build a stronger relationship with First Nations and to bring consideration of First Nations' concerns more fully into the NSW water planning and management framework.
54. In addition to commitments to seek further consultation with those Nations where Nation Consultation Reports could not be incorporated into the proposed WRP, the proposed WRP also commits NSW to further consultation with First Nations people of the WRP area over the coming 12 months to resolve any outstanding concerns in relation to the Indigenous values and uses requirements. Given the concerns raised by MLDRIN, the Authority strongly encourages NSW to make full use of this 12 month commitment to engage with the First Nations people of the WRP area in a culturally appropriate way.
55. The Authority strongly encourages NSW to adopt the engagement principles of Free, Prior and Informed Consent (FPIC) and the Akwé:Kon Guidelines. These frameworks ensure that Traditional Owners are engaged in an appropriate manner. This includes providing adequate information about the consent process, appropriate time and information.

Consistency with the Basin Plan

56. If a proposed WRP is consistent with the requirements in Chapter 10 of the Basin Plan, it should generally be consistent with the remaining chapters of the Basin Plan. This position recognises the close connections between the requirements in Chapter 10 and the other parts of the Basin Plan. Despite this, to determine whether the proposed WRP is consistent with all parts of the Basin Plan, the proposed WRP has been assessed against each chapter of the Basin Plan.

Chapter 1 – Introduction

57. This Chapter sets out preliminary matters relating to the Basin Plan, the structure of the Basin Plan, interpretation provisions, including various definitions and construction provisions, and requirements relating to the entering into of implementation obligations.
58. The proposed WRP is consistent with these general provisions.

Chapter 2 – Basin water resources and the context of their use

59. This Chapter sets out a description of the Basin water resources and the context in which those resources are used.
60. The proposed WRP is consistent with this description.

Chapter 3 – Water resource plan areas and water accounting periods

61. This Chapter identifies the particular areas that are to be WRP areas and the periods that are to be the water accounting periods for each of those WRP areas. For section 10.02, the proposed WRP identifies the WRP areas and the water resources consistently with this Chapter. The

water accounting periods for the proposed WRP align with the water accounting periods in the Basin Plan (i.e. 1 July to 30 June).

62. The proposed WRP is consistent with this Chapter.

Chapter 4 – Identification and management of risks to Basin water resources

63. This Chapter sets out risks to the condition, or continued availability, of Basin water resources and strategies to manage, or address, those risks. For section 10.41 of the Basin Plan, the risks identified in the proposed WRP have been identified having regard to the risks identified in section 4.02 of the Basin Plan. For section 10.43 of the Basin Plan, the proposed WRP has been prepared having regard to the strategies listed in section 4.03(3) of the Basin Plan. No guidelines have been prepared for section 4.04 of the Basin Plan.

64. The proposed WRP is consistent with this Chapter.

Chapter 5 – Management objectives and outcomes to be achieved by Basin Plan

65. This Chapter sets out the management objectives and outcomes to be achieved by the Basin Plan. The proposed WRP is consistent with these objectives and outcomes.

66. It is noted more generally that:

- a. The proposed WRP identifies water dependent ecosystems and ecosystem functions of those systems consistently with Chapter 8 of the Basin Plan. The proposed WRP includes arrangements in relation to these water dependent ecosystems and ecosystem functions that are consistent with the objectives in section 5.03(1) and which contribute to the outcome in section 5.03(2).
- b. The water quality management plan ('WQM Plan') in the proposed WRP identifies measures and targets for water quality that are consistent with those set out in Chapter 9 of the Basin Plan. The measures and targets in the proposed WRP are therefore consistent with the objective in section 5.04(1) and contribute to the outcome in section 5.04(2).
- c. The proposed WRP demonstrates that the long-term sustainable diversion limits on take will be given effect through the provisions in the proposed WRP addressing the operation of Part 3 of Chapter 10, which is consistent with Chapter 6 of the Basin Plan. Therefore, the operation of the proposed WRP is also consistent with the objective in section 5.05(1) and contributes towards the outcomes in section 5.05(2).
- d. The objective and outcome for the operation of the SDL adjustment mechanism in section 5.06 is not relevant to this plan as, at the time of this assessment, no adjustment has been made to the SDLs for the SDL resource units that are covered by this plan.
- e. The proposed WRP includes provisions relating to water trading which are not inconsistent with the requirements for restrictions on trade set out in Chapter 12 of the Basin Plan. These provisions are consistent with the objectives in section 5.07(1) and contribute towards the outcome in section 5.07(2).

Chapter 6 – Water that can be taken

67. This Chapter sets out the long-term average sustainable diversion limits for each SDL resource unit, the method for determining compliance with those limits and how risks are allocated.
68. The proposed WRP is consistent with the long-term average sustainable diversion limit that applies to the SDL resource unit of the water resource plan area (section 55(2)(b) of the Act). This is principally because the proposed WRP has met the requirements in Part 3 of Chapter 10 of the Basin Plan, which set out how a WRP must incorporate and apply this limit.
69. In this respect, and as is noted in the context of assessing whether the proposed WRP is consistent with Chapter 10:
- a. the proposed WRP includes a method for section 10.10 that has been demonstrated to enable the determination of an annual permitted take which, if applied over the historical climate conditions, meets the long-term average sustainable diversion limits,
 - b. the proposed WRP sets out how the quantity of water actually taken for consumptive use, by each form of take, will be determined at the end of a water accounting period, consistent with section 10.15 of the Basin Plan. This generates the annual actual take that is used in the method for SDL compliance under Chapter 6; and
 - c. the proposed WRP includes rules for section 10.11 that ensure, as far as practicable, that actual take does not exceed permitted take.
70. Section 6.14 of the Basin Plan provides that nothing in the Basin Plan requires a change in the reliability of water allocations of a kind that would trigger Subdivision B of Division 4 of Part 2 of the Act. The Authority has undertaken an assessment of the proposed WRP and considers there to be no reliability impacts of the kind specified in section 6.14.
71. Therefore, the Authority considers that the proposed WRP is consistent with Chapter 6 of the Basin Plan.

Chapter 7 – Adjustment of SDLs

72. This Chapter details a process for adjusting the SDLs of certain surface water SDL resource units. No such adjustments have been made under the Basin Plan relevant to the proposed WRP. The Authority considers that the proposed WRP is consistent with this Chapter.

Chapter 8 – Environmental watering plan

73. This Chapter sets out the environmental watering plan. In accordance with section 10.26 of the Basin Plan, the proposed WRP provides for environmental watering to occur in a way that is consistent with the environmental watering plan, the Basin-wide environmental watering strategy and contributes to the achievement of the objectives in Part 2 of this Chapter.
74. The proposed WRP was prepared in reference to the 2014 version of the Basin-wide environmental watering strategy as this was the version in place when NSW consulted communities on the WRP. A newer version of the Basin-wide Environmental Watering Strategy was published in November 2019, however the Authority has compared the two versions and found that there are no material differences
75. For section 10.28 of the Basin Plan the proposed WRP does not result in a net reduction in the protection of planned environmental water from the protection provided for under State water

management law immediately before the commencement of the Basin Plan on 23 November 2012.

Chapter 9 – Water quality and salinity management plan

76. This Chapter sets out the water quality and salinity management plan. This Chapter sets out the key causes of water quality degradation in the Murray-Darling Basin, water quality objectives for Basin water resources and water quality targets.
77. The proposed WRP includes a water quality management plan ('WQM Plan') that is consistent with the requirements in Part 7 of Chapter 10 of the Basin Plan. The WQM Plan identifies:
- a. for section 10.35A of the Basin Plan, causes of water quality degradation in the WRP area having regard to the key causes of water quality degradation identified in Part 2 of Chapter 9;
 - b. for section 10.35B of the Basin Plan, alternative water quality target values that are consistent with the water quality objectives in Part 3 of Chapter 9; and
 - c. for section 10.35C of the Basin Plan, measures that contribute towards the achievement of the objectives in Part 3 of Chapter 9.
78. The proposed WRP is consistent with Chapter 9 of the Basin Plan.

Chapter 10 – Water resource plan requirements

79. For the reasons which are elaborated on below, the proposed WRP is consistent with Chapter 10 of the Basin Plan.
80. Note that section 10.04(4) of the Basin Plan requires that a WRP includes a list that specifies and addresses each requirement as set out in Chapter 10 of the Basin Plan. The proposed WRP does this through the document entitled '*NSW Murray-Darling Basin Porous Rock Water Resource Plan (GW6 Water Resource Plan Area)*'.

Chapter 11 – Critical human water needs

81. This Chapter is only relevant to water resource plans which cover part of the River Murray System, as defined in section 86A(3) of the Act.
82. The water resources that are covered by the proposed WRP are not part of the River Murray System. Accordingly, the proposed WRP is not inconsistent with Chapter 11 of the Basin Plan.

Chapter 12 – Water trading rules

83. This Chapter sets out specific rules relating to water trading.
84. The proposed WRP sets out the circumstances in which groundwater trade is permitted and identifies that trade of the type relevant to the rules in ss. 12.24 – 12.26 of Chapter 12 of the Basin Plan is not permitted in the WRP area. The detailed assessment to support this conclusion is in Part 8 of the assessment report.
85. When assessing trade arrangements in the proposed WRP the Authority also considered the rules in sections 12.06-12.15 of the Basin Plan which ensure the right to trade free of certain restrictions. The Authority did not identify any matters of inconsistency with these rules. As such, the proposed WRP is consistent with this Chapter.

Chapter 13 – Program for monitoring and evaluating the effectiveness of the Basin Plan

- 86. This Chapter sets out the program for monitoring and evaluating the effectiveness of the Basin Plan.
- 87. The proposed WRP specifies the monitoring of the water resources of the WRP area that will be done to enable New South Wales to fulfil its reporting obligations under section 13.14 of the Basin Plan.
- 88. The proposed WRP is consistent with this Chapter.

Part 2 - Identification of water resource plan area and other matters

Section 10.02 – Identification of water resource plan area and water resources

- (1) A water resource plan must identify:
 - (a) the water resource plan area; and
 - (b) the water resources; to which it applies.
- (2) The water resource plan area must be one of the water resource plan areas described in Part 2 of Chapter 3 and must be identified using the same description of that area as is set out in that Part, with any variations permitted by section 3.04.
- (3) The water resources must be those described in Part 2 of Chapter 3 as the water resources of the water resource plan area and must be identified using the same description of those water resources as is set out in that Part.

10.02	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP identifies:	True	Schedule B WRP s. 2.1	Schedule B refers to WRP s. 2.1 as addressing s. 10.02 of the Basin Plan.	MET
	(a) the applicable geographic area of the WRP			Text for accreditation at s. 2.1 identifies the geographic area of the proposed WRP and the water resources to which it applies, by reference to those specified in s. 3.06 of the Basin Plan, as 'NSW Murray–Darling Basin Porous Rock'.	
	(b) all water resources in the plan area to which the WRP applies	True		Section 3.06 of the Basin Plan identifies named groundwater resource plan areas and the groundwater resources that apply to those areas. By referring to the WRP area and water resources specified in s. 3.06 as 'NSW Murray–Darling Basin Porous Rock', the proposed WRP aligns to the WRP area and water resources specified at s. 3.06(d) of the Basin Plan.	

10.02	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				The Authority is satisfied that the requirement has been met.	
2	A variation to boundaries under s3.04 applies to the WRP area	True	WRP s. 2.1	Text for accreditation at WRP s. 2.1 states that boundary variation under s. 3.04 does not apply to the WRP area. The MDBA is not aware of any proposed variation to the boundary of the WRP area.	MET
	The WRP applies the variation under 3.04	Test turned off	Not applicable	Not applicable.	
	The WRP states the WRP area as the applicable area using the same terms as in Part 2 of Chapter 3	True	WRP s. 2.1	Examination of s. 2.1 confirms that the proposed WRP applies to the WRP area termed 'NSW Murray–Darling Basin Porous Rock' as specified in Part 2 of Chapter 3 of the Basin Plan (s. 3.06(d)). The Authority is satisfied that the requirement has been met.	
3	The water resources to which this WRP applies are the same as the water resources described in Part 2 Chapter 3	True	WRP s. 2.1	Text for accreditation at WRP s. 2.1 describes the water resources to which the proposed WRP applies as those described in Part 2 of Chapter 3 of the Basin Plan (s. 3.06(d)) as 'NSW Murray–Darling Basin Porous Rock'. The Authority is satisfied that the requirement has been met.	MET

Section 10.03 – Identification of SDL resource units and water resources

- (1) A water resource plan must identify:
 - (a) each SDL resource unit in the water resource plan area; and
 - (b) the water resources within each SDL resource unit.
- (2) The SDL resource units must be those described in sections 6.02 and 6.03 and Schedules 2 and 4 as the SDL resource units within the water resource plan area, as applicable.
- (3) The water resources within each SDL resource unit must be those described in sections 6.02 and 6.03, and Schedules 2 and 4.

10.03 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP identifies:	True	Schedule B WRP s. 2.1	<p>Schedule B refers to WRP s. 2.1 as addressing s. 10.03 of the Basin Plan.</p> <p>Text for accreditation at s. 2.1 identifies the SDL resource units for the WRP area, and the water resources within the identified SDL resource units, as being those set out in s 6.03 and Schedule 4 of the Basin Plan.</p> <p>Section 6.03 and Schedule 4 of the Basin Plan identifies the geographical location of named ground water SDL resource units and the ground water resources that apply. This includes reference to maps and datasets held by the MDBA.</p> <p>The relevant SDL resource units that apply to the WRP area through application of s. 6.03 of the Basin Plan are:</p> <ul style="list-style-type: none"> • Western Porous Rock (GS50) • Gunnedah-Oxley Basin MDB (GS17) • Sydney Basin MDB (GS41) 	MET
	(a) each applicable SDL resource unit in the WRP area				
	(b) the water resources within each SDL resource unit	True			

10.03 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<ul style="list-style-type: none"> Oaklands Basin (GS38) <p>The Authority is satisfied that the requirement has been met.</p>	
2	The WRP applies to the SDL resource units are those described in ss6.02 and/or 6.03, and Schedules 2 and/or 4	True	WRP s. 2.1	<p>Examination of WRP s. 2.1 confirms that it applies to the relevant SDL resource units as described in s. 6.03 and Schedule 4 of the Basin Plan are:</p> <ul style="list-style-type: none"> Western Porous Rock (GS50) Gunnedah-Oxley Basin MDB (GS17) Sydney Basin MDB (GS41) Oaklands Basin (GS38) <p>Section 6.02 and Schedule 2 of the Basin Plan apply to surface water resources and are not applicable to the proposed WRP.</p> <p>The Authority is satisfied that the requirement has been met.</p>	MET
3	The WRP applies SDL resource units to water resources that are those described in ss6.02 and/or 6.03, and Schedules 2 and/or 4	True	WRP s. 2.1	<p>Examination of WRP s. 2.1 confirms that it applies the SDL resource units to water resources of the NSW Murray–Darling Basin Porous Rock Water Resource Plan area as those described in s. 6.03 and Schedule 4 of the Basin Plan.</p>	MET

10.03 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>Section 6.02 and Schedule 2 of the Basin Plan apply to surface water resources and are not applicable to the proposed WRP.</p> <p>The Authority is satisfied that the requirement has been met.</p>	

Section 10.04 – Form of water resource plan

Water resource plan constituted by 2 or more instruments

- (1) If a water resource plan is constituted by 2 or more instruments or texts, subsections (2) and (3) apply to it.
Note: Subsection 63(1) of the Act states that a water resource plan may be constituted by 2 or more instruments.
- (2) The water resource plan must identify the instruments or texts that constitute the water resource plan.
Note: The same instrument or text may be used for more than one water resource plan.
- (3) If an instrument or text applies only to some of the water resources of the water resource plan area, the water resource plan must:
 - (a) identify the water resources or the parts of the water resources to which the instrument or text applies; and
 - (b) include an indicative map of the water resources identified in paragraph (a).

Water resource plan to include list of requirements

- (4) A water resource plan must include a list that specifies:
 - (a) each requirement set out in this Chapter (individually or by reference to a group of requirements); and
 - (b) the part of the plan that addresses each requirement (or group of requirements); and
 - (c) the parts of the plan that will cease to have effect or are to be reviewed, and the times at which those parts will cease to have effect or are to be reviewed.

Note: For paragraphs (a) and (b), the list may, for example, group multiple requirements in Chapter 10 together and specify that those requirements are addressed in a single document that deals with those requirements.

Material not forming part of the water resource plan

- (5) If a water resource plan is constituted by an instrument or text which contains additional material that is not part of the water resource plan, the water resource plan must identify that material.

Note: See paragraph (d) of the definition of water resource plan in section 4 of the Act.

10.04 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP index refers to 2 or more	True	Schedule B WRP s. 1.5	Schedule B refers to WRP ss. 1.5 and 2.1 as addressing s 10.04 of the Basin Plan. Text for accreditation at s. 1.5 describes the proposed WRP as consisting of material in a number of documents.	MET

10.04 subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
	instruments or texts			
	If 'yes' establish that the WRP addresses the requirements in subsection (2) and (3)	True	WRP s. 1.5 Subsections (2) and (3) apply. The proposed WRP addresses the requirements of both subsections (2) and (3). See assessment below at s 10.04(2) and s 10.04(3). The Authority is satisfied that the requirements have been met.	
2	The WRP identifies the instruments or texts that makes up the WRP package	True	WRP s. 1.5 Text for accreditation at WRP s. 1.5 states that all text that is boxed and highlighted blue, and any instruments or provisions, text or tables to which such text refers forms part of this Plan for accreditation purposes. The Authority is satisfied that the requirement has been met.	MET
3	The WRP includes an instrument or text that operates for or covers only some of the water resources in the WRP area	True	WRP s. 1.5 WRP Figure 2-1 Text for accreditation at WRP s. 1.5 states that the text for accreditation, and any instruments or provisions, text or tables to which this text refers indicates if it applies to only some of the SDL resource units of the WRP area. Further, text for accreditation at s. 1.5 refers to WRP Figure 2-1 as providing an indicative map of the SDL resource units applying to the WRP area. These are:	MET

10.04 subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
	(a) The WRP identifies the water resources or the parts of water resources to which the instrument or text applies	True	<ul style="list-style-type: none"> Western Porous Rock (GS50) Gunnedah-Oxley Basin MDB (GS17) Sydney Basin MDB (GS41) Oaklands Basin (GS38). <p>The Authority is satisfied that the requirement has been met.</p>	
	(b) The WRP includes an indicative map of the water resources identified in letter (a)	Present		
4	The WRP has an index that lists all the sections in Chapter 10	True	Schedule B	MET
	The list references the part of the WRP that addresses	True	Schedule B	

10.04 subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
	each Chapter 10 requirement			
	The list specifies date of cessation or review for each part of the WRP that is subject to a time limit for operation	True	WRP s. 1.5	Text for accreditation at WRP s. 1.5 states that the clauses in the WSP that are directly referenced in this WRP are in force at the time of accreditation, and for 10 years from its date of commencement, and must be reviewed prior to the end of this term. Section 1.5 also states that no other instruments or texts for accreditation in this WRP are subject to cessation or review. The Authority is satisfied that the requirement has been met.
5	The WRP identifies which parts of instruments and other material are 'additional material' and excluded from accreditation	True	WRP s. 1.5	Text for accreditation at WRP s. 1.5 states that all text that is not contained in or referenced by blue boxed sections within this document is for explanatory purposes only and not for accreditation purposes. Further to this, any reference to an instrument as a whole does not have the effect of incorporating the entire instrument for accreditation purposes. Section 1.5 also explicitly excludes some referenced material from accreditation purposes including: <ul style="list-style-type: none"> the LTWP or a schedule that contains details from the LTWP, where referenced in blue box text

10.04 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<ul style="list-style-type: none"> any reference to the <i>Access Licence Dealing Principles Order 2004</i> or section 71Z of the WMA 2000 in this WRP or schedules with the exception of clause 7(1) of the <i>Access Licence Dealing Principles Order 2004</i> parts of Schedules to the proposed WRP that are not directly referenced, except for Schedule C, which is referenced in its entirety appendices to this WRP. <p>As such, the proposed WRP has identified which parts of instruments and other material are 'additional material' and excluded this material from accreditation.</p> <p>The Authority is satisfied that the requirement has been met.</p>	

Section 10.05 – Regard to other water resources

A water resource plan must:

- (a) be prepared having regard to the management and use of any water resources which have a significant hydrological connection to the water resources of the water resource plan area; and
- (b) describe the way in which paragraph (a) was complied with.

10.05 subsection	Summary of assessment test	Where this was observed in the WRP package		Justification	Assessment outcome
(a)	There are significant hydrological connections between water resources of the WRP area to water resources outside the WRP area	True	Schedule B WRP s. 2.2 WRP Schedule D, s. 3.3	Schedule B refers to WRP s. 2.2 as addressing s. 10.05 of the Basin Plan. Text for accreditation at s. 2.2 refers to section 3.3 of Schedule D for information about how regard was had to connected water resources.	MET
	The WRP was prepared having regard to the management and use of the hydrologically connected water resources	True	Schedule A: NSW Murray–Darling Basin Porous Rock WSP 2020, Pt 6, Div 1; cls 41, 50	Examination of s. 3.3 of Schedule D confirms it sets out a description of the nature and level of connectivity between groundwater resources of the WRP area and connected groundwater and surface water resources both within and outside the WRP area. Section 3.3 also describes general management arrangements to address connectivity. Additionally, s. 2.2 refers to the following material for information about how the proposed WRP was prepared having regard to the management and use of hydrologically connected water: <ul style="list-style-type: none">• Division 1 of Part 6 of Schedule A• cls 41 and 50 of Schedule A. Examination of the cited clauses in Schedule A, confirms:	
(b)	The WRP describes how s10.05(a) was complied with	True			

10.05 subsection	Summary of assessment test	Where this was observed in the WRP package		Justification	Assessment outcome
				<ul style="list-style-type: none"> • Division 1 of Part 6 of Schedule A sets limits for take to SDLs which is a general measure for managing significant hydrologic connections over the long term • cl 41 establishes rules for the location of water supply works for groundwater take in relation to rivers (i.e. connected surface water resources) and groundwater dependent ecosystems • cl 50 prohibits the interstate transfer or assignment of access licences or allocation, except in accordance with an interstate agreement. <p>The Authority is satisfied that the requirement has been met.</p>	

Section 10.06 – Matters relating to requirements of Chapter

- (1) For each matter that this Chapter requires to be dealt with in a water resource plan, the plan must specify the person responsible for the matter.
- (2) Without limiting subsection (1), if a water resource plan requires a measure or action to be undertaken, the plan must specify the person responsible for undertaking that measure or action.

10.06 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP identifies each matter arising from Chapter 10	True	Schedule B	Schedule B is a complete list of sections in Chapter 10 of the Basin Plan. For the purpose of the proposed WRP, this identifies each matter arising from Chapter 10.	MET
	Each matter nominates a responsible person or persons	True	Schedule B WRP s. 1.5	<p>Schedule B refers to WRP s. 1.5 as addressing s. 10.06 of the Basin Plan.</p> <p>Text for accreditation at s. 1.5 states that the WRP index identifies the person responsible for the matters, including implementation measures associated with each requirement in Chapter 10 of the Basin Plan.</p> <p>A ‘person’ in the form of a NSW Minister or an agency is nominated in the WRP index against each section of Chapter 10 that applies to the NSW Murray–Darling Basin Porous Rock WRP area. Where a matter in Chapter 10 does not apply to the NSW Murray–Darling Basin Porous Rock WRP area, this is also noted in the WRP Index. Where matters do not apply to this WRP, this is addressed in the assessment against the relevant matter.</p> <p>Therefore, each matter arising from Chapter 10 is identified in terms of a responsible person or persons.</p>	

10.06 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				The Authority is satisfied that the requirement has been met.	
2	The WRP nominates a party as 'responsible person' for each Chapter 10 section listed in Position Statement 1M	True	WRP s. 1.5 Schedule B	Text for accreditation at WRP s. 1.5 states that unless otherwise identified in the WRP, the person listed in the Index against each Chapter 10 section is responsible for undertaking a measure or action under the instrument or text identified. The Authority is satisfied that the requirement has been met.	MET

Section 10.07 – Consultation to be demonstrated

- (1) A water resource plan prepared by a Basin State must contain a description of the consultation in relation to the plan (including in relation to any part of the plan), if any, that was undertaken before the State gave the plan to the Authority under subsection 63(1) of the Act.
- Note:** A water resource plan prepared by the Authority and adopted under section 69 of the Act is a legislative instrument. The Legislative Instruments Act 2003 requires that the explanatory statements for such plans describe the consultation undertaken in relation to the plans.
- (2) If a water resource plan is amended in accordance with section 65 of the Act, the plan must contain a description of the consultation in relation to the amendment, if any, that was undertaken before the relevant Basin State gave the proposed amendment to the Authority under subsection 65(2) of the Act.

10.07 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	Any consultation carried out in relation to all or part of the WRP is described	True	Schedule B WRP s. 1.7 Schedule C	<p>Schedule B refers to WRP s. 1.7 as addressing s. 10.07 of the Basin Plan.</p> <p>Text for accreditation at s. 1.7 refers to Schedule C for a description of the consultation that has been carried out in relation to the development of the proposed WRP.</p> <p>Examination of Schedule C confirms the report describes the public, targeted and First Nations consultation that was undertaken for the development of the proposed WRP.</p> <p>As the NSW Murray–Darling Basin Porous Rock WRP area is adjacent to WRP areas located in Queensland, Victoria and South Australia, s 63(2) of the <i>Water Act 2007</i> (Cth) requires the proposed WRP to be prepared in consultation with Queensland, Victoria and South Australia.</p> <p>Examination of Schedule C confirms that opportunities were provided to Queensland, Victoria and South Australia to comment on the proposed WRP. This included through the</p>	MET

10.07 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>Water Resource Plan Working Group and Basin Officials Committee.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
2	The WRP is being presented for the purpose of accreditation of an amendment under s65 of the <i>Water Act 2007</i>	False	WRP s. 1.7	<p>Text for accreditation at WRP s. 1.7 states that the proposed WRP is not being presented for the purpose of an amendment accreditation under section 65 of the Water Act 2007.</p> <p>There is, therefore, no need to describe consultation undertaken in relation to a proposed amendment.</p>	Not applicable
	The WRP describes the consultation undertaken in relation to the proposed amendment	Test turned off			

Part 3 Incorporation and application of long-term annual diversion limit

Section 10.08 – Water access rights must be identified

(1) A water resource plan must identify:

- (a) each form of take from each SDL resource unit in the water resource plan area;
- (b) any classes of water access rights that apply to the forms of take identified under paragraph (a);
- (c) the characteristic of each class of right including, where appropriate, the number of rights and any conditions on the exercise of the rights.

(2) A water resource plan must require a holder of water access right to comply with the conditions of that right.

10.08 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1(a)	All the forms of take mentioned in Schedule 3 (4 for groundwater resource units) for the SDL resource unit are listed.	True	Schedule B WRP s. 5.1.2, Table 5-1	<p>Schedule B refers to WRP s. 5.1.2 as addressing s. 10.08 of the Basin Plan.</p> <p>Text for accreditation at s. 5.1.2 refers to WRP Table 5-1 as material that identifies the forms of take that exist in the NSW Murray-Darling Basin Porous Rock WRP area (Western Porous Rock (GS50), Gunnedah-Oxley Basin MDB (GS17), Sydney Basin MDB (GS41) and Oaklands Basin (GS38) SDL resource units.</p> <p>Examination of Table 5-1 confirms it lists forms of take that reflect the forms of take listed at s. 1.07 (and relevant to Schedule 4) of the Basin Plan for the four SDL resource units in the Murray-Darling Basin Porous Rock WRP area.</p>	MET

10.08 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				The Authority is satisfied that the requirement has been met.	
	Additional forms of take apply to the SDL resource unit	False	WRP s. 5.1.2, Table 5-1	Text for accreditation at s. 5.1.2 refers to Table 5-1 to identify all forms of take applying to the Western Porous Rock (GS50), Gunnedah-Oxley Basin MDB (GS17), Sydney Basin MDB (GS41) and Oaklands Basin (GS38) SDL resource units and states that no additional forms of take apply to the SDL resource units. Consequently, the proposed WRP does not identify any changes to the BDL estimate arising from any additional forms of take. The Authority is satisfied that the requirement has been met.	
	Additional forms of take in the SDL resource unit are identified	False			
	Changes to the BDL estimate arising from any additional forms of take are stated	False			
1(b)	Applicable class(es) of water access rights are identified ('attributed') for each form of take (presence/absence <i>for each form of take</i>)	Present	WRP s. 5.1.2, Table 5-1 Schedule A: NSW Murray-Darling Basin Porous Rock WSP 2020, cls 19 to 24 WMA 2000, ss. 392(4)(a) and (c)	Text for accreditation at s. 5.1.2 refers to Table 5-1 as material that identifies all relevant classes of water access right for each form of take identified under paragraph (1)(b). Examination of the referenced instruments in Table 5-1 confirms all relevant classes of water access rights for each form of take are identified through reference to s. 392(4)(a) and (c) of the WMA and cls 19 to 24 of Schedule A.	

10.08 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				The Authority is satisfied that the requirement has been met.	
1(c)	The characteristics of each class of water access right are identified ('attributed') for each form of take (presence/absence <i>for each form of take</i>)	Present	WRP s. 5.1.2, Table 5-1 Schedule A: NSW Murray-Darling Basin Porous Rock WSP 2020, cls 19-24 and Pt 11 WMA 2000, ss. 52, 55, 60A – D, 60F, 63, 66, 66A, 67, 91A, 91B, 91H – 91K, 91M, 95(1A), 100, 100A, 101A, 102, 324, 331, 336B, 392(4)(a) and (c)	Text for accreditation at s. 5.1.2 refers to Table 5-1 as identifying the characteristics of each class of water access right. Examination of the referenced provisions in Table 5-1 confirms they identify the characteristics of each class of water access right for each form of take. The Authority is satisfied that the requirement has been met.	
	It is it appropriate for the WRP to include: (i) the number of rights for each class; (ii) the conditions on exercising rights that apply to each class	False	WRP s. 5.1.2, Table 5-1 Schedule A: NSW Murray-Darling Basin Porous Rock WSP 2020, cls 19-24 and Pt 11 WMA 2000, ss. 52, 55, 60A – D, 60F, 63, 66, 66A, 67, 91A, 91B, 91H – 91K, 91M, 95(1A), 100, 100A, 101A, 102,	Text for accreditation at s. 5.1.2 states that it is not appropriate to include the number of access rights in the WRP area as the number of rights is subject to change through consolidation, subdivision or cancellation. In addition, text for accreditation at s. 5.1.2 states that Table 5-1 identifies the conditions that are required to be imposed on access licences and water supply work approvals in the WRP area.	

10.08 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
			324, 331, 336B, 392(4)(a) and (c)	<p>Examination of the referenced instruments in Table 5-1 confirms that it incorporates the conditions on exercising water access rights.</p> <p>The proposed WRP establishes that it is appropriate to include the obligations that apply to each class of access right with the obligations listed by including those conditions. The proposed WRP sets out that it is not appropriate to list the numbers of each class of access right due to the fact that any numbers so provided are subject to change.</p> <p>The Authority is satisfied that it is not appropriate to list the number of each class of access right, because under the proposed WRP, compliance with SDLs and operation of the annual permitted take and annual actual take methods relies on the volumetric limits set by the SDL and LTAAELs which operate independently of the number of rights for each class of access.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
	The characteristics of each class of water access rights includes the number of rights and/or conditions on exercising those	Present	WRP s. 5.1.2, Table 5-1 Schedule A: NSW Murray-Darling Basin Porous Rock WSP 2020, cls 19-24 and Pt 11	<p>Text for accreditation at s. 5.1.2 refers to Table 5-1 as identifying the characteristics of each class of water access right.</p> <p>Examination of the references in Table 5-1 confirms that the conditions on exercising rights that apply</p>	

10.08 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	rights (presence/absence <i>for each form of take</i>)		WMA 2000, ss. 52, 55, 60A – D, 60F, 63, 66, 66A, 67, 91A, 91B, 91H – 91K, 91M, 95(1A), 100, 100A, 101A, 102, 324, 331, 336B, 392(4)(a) and (c)	<p>to each class of water access right is present for each form of take. It also confirms that the numbers of rights for each class of access right are not provided but that the total volumetric share of each class of access right in the WRP area is discoverable through reference in Table 5-1 to cls 19 to 24 of Schedule A.</p> <p>As noted above, the Authority is satisfied that it is not appropriate to list the number of each class of access right.</p> <p>The Authority is satisfied that this is requirement has been met.</p>	
	The rationale for why it is not appropriate has merit	True	WRP s. 5.1.2	<p>Text for accreditation at s. 5.1.2 states that it is not appropriate to identify the number of water access rights in WRP area, as any numbers for classes of access rights nominated in the proposed WRP are likely to change due to consolidation, subdivision or cancellation.</p> <p>The Authority notes that while it may be possible to provide a point-in-time total for the number of access rights for each class of access right in the WRP area, it is appropriate to not provide those numbers due to their changing nature.</p> <p>The Authority further notes that the number of access rights in each water source has no practical</p>	

10.08 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>impact on ensuring the water resources are managed within the SDL as the rules incorporated into the proposed WRP manage this through compliance against the volumetric limits of the LTAAEL and SDL.</p> <p>The Authority is satisfied that this rationale has merit.</p>	
2	The WRP provision obliges water access right holders to comply with the conditions of a right	True	WRP s. 5.1.2 WMA 2000, ss. 60A – D, 60F, 91A, 91B, 91H – 91K,	<p>Text for accreditation at WRP s. 5.1.2 refers to Table 5-1 as identifying the provisions that oblige water access right holders to comply with the conditions of a right.</p> <p>Examination of the cited provisions in Table 5-1 confirms that these provisions set out the characteristics and conditions on water access rights in the WRP area. For the purposes of s. 10.08(2):</p> <ul style="list-style-type: none"> ss 60A - 60D, 91A, 91B, 91H – 91K, 392(4)(a) and (c) operate to oblige access rights holders to comply with conditions on access rights they are incorporated into the proposed WRP. 	MET

10.08 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>As such the proposed WRP obliges water access rights holders to comply with the condition of a right.</p> <p>The Authority is satisfied that this requirement has been met.</p>	

Section 10.09 – Identification of planned environmental water and register of held environmental water

- (1) A water resource plan must identify the planned environmental water in the water resource plan area and associated rules and arrangements relating to that water.
- (2) A water resource plan must provide for the establishment and maintenance of a register, to be published on a website specified by the plan, of held environmental water for the water resource plan area which records:
 - (a) the characteristics of held environmental water in the water resource plan area (for example, quantity, reliability, security class, licence type, limitations); and
 - (b) who holds that water.
- (3) Subsection (2) is satisfied if the plan identifies a register of held environmental water which records the matters required by subsection (2) and is published on a website.

10.09 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	PEW is identified in the WRP area	True	Schedule B WRP ss. 4.1.1, 4.1.3 Schedule A: NSW Murray–Darling Basin Porous Rock WSP 2020, cls 16, 17.	Schedule B refers to WRP ss. 4.1.1 and 4.1.3 as addressing s. 10.09 of the Basin Plan. Text for accreditation at s. 4.1.1 incorporates cls 16 and 17 of Schedule A. Examination of the cited clauses of Schedule A confirms they commit, identify, establish and maintain PEW in the WRP area. The Authority is satisfied that the requirement has been met.	MET

10.09 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	There is no PEW in the WRP area, and the supporting evidence validates the claim	False	WRP s. 4.1.1	Text for accreditation at s. 4.1.1 identifies PEW for the WRP area as indicated in the above assessment. As such, PEW has been established and this requirement is not applicable. The Authority is satisfied that the requirement has been met.	
	The identified PEW is PEW as defined in the <i>Water Act 2007</i> (exhaustive - <i>all</i> PEW is identified)	True	WRP s. 4.1.1 Schedule A: NSW Murray–Darling Basin Porous Rock WSP 2020, cls 16, 17	Examination of cls 16 and 17 of Schedule A confirms that the identification of PEW in those clauses is consistent with the description of PEW in s. 6 of the Water Act 2007. The Authority is satisfied that the requirement has been met.	
	PEW rules and arrangements to protect PEW operate in the WRP area	True	WRP s. 4.1.1 (including supporting information) Schedule A: NSW Murray–Darling Basin Porous Rock 2020, cl 16, 17, Pt 6 Div 1 (incl cl 29), Pt 8	Text for accreditation at s. 4.1.1 identifies rules and arrangements to protect PEW in Schedule A. The cited rules and arrangements in Schedule A operate to protect PEW by: <ul style="list-style-type: none"> Preserving and managing PEW by limiting extraction to long-term annual average extraction limit and sustainable diversion limits Committing as PEW the water remaining after water has been taken under basic landholder rights, access licences and any other rights and that cannot be carried over from one water year to the next in water allocation accounts. 	

10.09 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				Supporting information in s. 4.1.1 refers to the use of annual water determinations which may be used to reduce water credited to access licence accounts if the LTAAEL and/or SDL is exceeded. These rules are given effect for the purposes of protecting PEW through the operation of cl 29 of Schedule A. The Authority is satisfied that the requirement has been met.	
2	A register of HEW for the WRP area is (and/or will be) established <i>OR</i>	Test turned off	WRP s. 4.1.3	Text for accreditation at WRP s. 4.1.3 refers to an existing register. There is therefore no need to establish a register. Accordingly, the requirement is not applicable.	Not applicable
3	An existing register is identified	True	WRP s. 4.1.3	Text for accreditation at WRP s. 4.1.3 refers to an existing register of HEW by incorporating a link to the online register. Examination of the online link confirms that it provides access to such a register. The Authority is satisfied that the requirement has been met.	MET
If it is verified that a register of HEW is / will be established OR that an identified register of HEW exists: consider the further matters required by subsection (2)					
2 or 3 (delete as applicable)	Provides for the maintenance of a / the register	Present	WRP s. 4.1.3	Text for accreditation at s. 4.1.3 specifies a website for the register –	MET

10.09 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	A website for publication is specified	Present	WRP s. 4.1.3	https://www.industry.nsw.gov.au/water/environmental-water-hub/public-register/environmental/licences	
	Characteristics and holders of water are (or will be) included in the register	True	WRP s. 4.1.3	<p>The register referenced in text for accreditation at s. 4.1.3 and accessed via the web link in text for accreditation includes characteristics and information about holders of a HEW entitlement.</p> <p>The Authority is satisfied that the requirement has been met.</p>	

Section 10.10 – Annual determinations of water permitted to be taken

- (1) For each SDL resource unit in a water resource plan area, and for each form of take, the water resource plan must set out the method for determining the maximum quantity of water that the plan permits to be taken for consumptive use during a water accounting period.
- (2) The method for subsection (1) may include modelling, and must be designed to be applied after the end of the relevant water accounting period, having regard to the water resources available during the period.
- (3) The method must:
 - (a) account for the matters in subsection 10.12(1); and
 - (b) be consistent with the other provisions of the water resource plan.
- (4) The plan must also set out a demonstration that the method relates to the SDL of each resource unit in such a way that, if applied over a repeat of the historical climate conditions, it would result in meeting the SDL for the resource unit, including as amended under section 23B of the Act.

Note 1: Under the Basin Plan, the SDL is the same as the long-term annual diversion limit because the temporary diversion provision for each SDL resource unit is zero. Section 6.04 and Schedules 2 and 4 set out the SDLs for each SDL resource unit.

Note 2: Amendments under section 23B of the Act are made following proposals for adjustment under Chapter 7.
- (5) If, as a result of an amendment under section 23B of the Act, the SDL for a surface water SDL resource unit is expressed as a formula that changes with time, the SDL for subsection (4) is taken to be:
 - (a) for a water accounting period beginning on or after 1 July 2019 – the SDL as it stood on 30 June 2019; and
 - (b) for a water accounting period beginning on or after 1 July 2022 – the SDL as it stood on 30 June 2022; and
 - (c) for a water accounting period beginning on or after 1 July 2024 – the SDL as it stood on 30 June 2024.

10.10 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	A method is set out that determines maximum quantity of water permitted to be taken for consumptive use for each form of take during a water accounting period for each SDL resource unit in the WRP area	True	Schedule B WRP ss. 5.3.2, 5.4.2, Table 5-4, supporting information at WRP Table 7-1	Schedule B refers to WRP ss. 5.3.2 and 5.4.2 as addressing the requirements for s. 10.10 of the Basin Plan. Text for accreditation at s. 5.4.2 refers to WRP Table 5-4 as setting out the method for determining APT during a water accounting period. Text for accreditation at s. 5.4.2 also identifies that a:	MET

10.10 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>simple annual permitted take method applies...where there is a relatively low level of actual take compared to the SDL</p> <p>Examination of the cited material and supporting information confirms that a simple APT method is defined as one where annual permitted take for each form of take is equal to each form of take's component/share of the SDL. That is that APT is equal to the SDL for each form of take.</p> <p>The text for accreditation states that a simple APT method is applied where there is a relatively low level of actual take compared to the SDL.</p> <p>The level of actual take and hence the relevance of the simple APT method has been validated in this assessment by a comparison of the best estimates of the long term annual average quantities of water taken that are measured and not measured for each form of take in each SDL resource unit of the WRP area detailed in supporting information at WRP Table 7-1, with the estimates listed at Column 4 of Schedule 4 of the Basin Plan for this WRP area.</p> <p>This comparison confirms that the long-term annual average take in all SDL resource units in the WRP area is relatively low (in percentage terms) compared to the corresponding SDLs in the proposed WRP.</p>	

10.10 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				The Authority is satisfied that the requirement has been met.	
	The BDL estimate has changed due to better methods	False	Not applicable	For groundwater resources, the BDL for an SDL resource unit is stated in Schedule 4 of the Basin Plan. NSW has not sought any change to the BDL with reference to better methods. Consequently, the BDL estimate has not changed. The Authority is satisfied that the requirement has been met.	
	The changes to the BDL estimate due to better methods are identified, <i>and</i>	Test turned off	Not applicable	Not applicable	
	The changes are agreed to by MDBA, <i>and either</i>	Test turned off	Not applicable	Not applicable	
	The SDL volume is based on the better estimate of the BDL, <i>and</i>	Test turned off	Not applicable	Not applicable	
	The SDL volume is based on the applicable local reduction amount, <i>and</i>	Test turned off	Not applicable	Not applicable	

10.10 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	The SDL volume is based on the SDL resource unit shared reduction amount, <i>or</i>	Test turned off	Not applicable	Not applicable	
	The SDL volume is based on the SDL adjustment amount written as a formula that changes over time to 2024	Test turned off	Not applicable	Not applicable	
	The method represents and operates as 'best available information'	True	WRP s. 5.4.2, Table 5-4 Schedule I, supporting information at WRP s. 7.1, Table 7-1	The annual permitted take methods for the four SDL resource units in the WRP area (GS50, GS17, GS41 and GS38), as presented in s. 5.4.2, Table 5-4, Schedule I and supporting information in WRP s. 7.1 and Table 7-1 represents and operates as the 'best available information'. The Authority is satisfied that the requirement has been met.	MET
2	The method (which may be modelling) calculates max quantity of water available for consumptive take at the end of the water accounting period	True	WRP s. 5.4.2, Table 5-4	Text for accreditation at WRP s. 5.4.2 states that the annual permitted take for the SDL resource units in the WRP area (GS50, GS17, GS41 and GS38) will be determined for each water accounting period at the end of each water accounting period. Assessment against s. 10.10(1) confirms that the method set out in s. 10.10(1) has regard to the availability of water resources during the accounting period.	MET

10.10 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				The Authority is satisfied that the requirement has been met.	
	The method (or modelling) has regard to availability of water resources during the accounting period	True	WRP s. 5.4.2, Table 5-4	<p>Examination of text for accreditation at Table 5-4 confirms that for all forms of take, in each SDL resource units the combined annual permitted take method is equal to the SDL volume in Schedule 4 of the Basin Plan. Assessment of material incorporated to meet s. 10.10(1) has confirmed that APT is equal to the SDL.</p> <p>Given the SDLs have been established having regard to the long-term availability of water resources, the Authority is satisfied that the APT method gives appropriate regard to the availability of water resource during the accounting period.</p> <p>The Authority further notes, that by definition, the simple APT method is premised on the fact that annual actual take is highly unlikely to ever exceed the SDL given the long term estimates of take are well below the SDL. On this basis it is less relevant for the simple APT method to demonstrate regard to available water resources as it is unlikely to be a significant factor in managing water take to achieve the SDL.</p> <p>The Authority is satisfied that the requirement has been met.</p>	

10.10 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
3	All matters listed under s10.12 are identified as either relevant or not relevant, and relevant matters are accounted for in the method (exhaustive)	True	WRP s. 5.4.2 Schedule I, s. 2.1, Table I-1	Text for accreditation at WRP s. 5.4.2 refers to s. 2.1 of Schedule I for s. 10.10(3) and s. 10.12(1) of the Basin Plan. Examination of Schedule I, confirms that s. 2.1 contains Table I-1 titled as 'Matters to be accounted for under 10.12 (1) of the Basin Plan in relation to APT methods'. Table I-1 identifies all matters listed under s. 10.12 as either relevant or not relevant. See the assessments below for all matters listed under s. 10.12. The Authority is satisfied that the requirement has been met.	MET
	s10.12(1) letter (a) is relevant and accounted for	True	WRP Tables 5-3 and 5-4 Schedule I, s. 2.1, Table I-1 Schedule A: NSW Murray Darling Basin Porous Rock WSP 2020, Pt 5 Div 2; cl 25	Table I-1 refers to WRP Table 5-4 as setting out how the methods account for all forms of take and all classes of water access rights for each SDL resource unit in the WRP area. Examination of Table 5-4 confirms that the APT method accounts for all forms of take and all classes of access right that apply to the WRP area through the operation of Part 5, Division 2 and cl 25 of Schedule A. The Authority is not aware of any other forms of take or classes of access right that are relevant to the WRP area.	

10.10 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				The Authority is satisfied that the requirement has been met.	
	s10.12(1) letter (b) is relevant and accounted for	True	Schedule I, Table I-1 Schedule A: NSW Murray Darling Basin Porous Rock WSP 2020, Pt 8	<p>Table I-1 states that carryover for basic rights is not permitted. Table I-1 also outlines the circumstances where carryover of take from groundwater is permitted and managed under Part 8 of Schedule A as follows:</p> <ul style="list-style-type: none"> maximum of 0.25 ML per unit share of the access licence share component for an aquifer access licence. <p>Table I-1 further states that Part 6, Division 1 of Schedule A restricts overall take in the long term to the SDL.</p> <p>Assessment of s. 10.10(1) has confirmed that the APT for each SDL resource unit is equal to the SDL for that resource unit. As such carryover is accounted for in the APT method through restricting overall take to the SDL.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
	s10.12(1) letter (c) is relevant and accounted for	Test turned off	Schedule I, Table I-1	Table I-1 states that 'this requirement is not applicable to groundwater SDL resource units'.	

10.10 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>The requirement applies only to surface water WRPs (return flows in surface water SDL resource units).</p> <p>The Authority is satisfied that the requirement has been met.</p>	
	s10.12(1) letter (d) is relevant and accounted for	Test turned off	<p>Schedule I, Table I-1 WRP s. 5.7.2</p> <p>Supporting information at Schedule A: NSW Murray-Darling Basin Porous Rock WSP 2020, cl 50</p>	<p>Table I-1 states that as inter-state trade is not permitted in the absence of agreed administrative arrangements, accounting for these trades in the annual permitted take method is not necessary.</p> <p>Examination of material incorporated to meet requirements of ss. 10.37 to 10.39 of the Basin Plan at WRP s. 5.7.2 and cl 50 of Schedule A confirms trade between two locations (within a) the Gunnedah-Oxley Basin SDL resource unit and b) the Sydney Basin MDB SDL resource unit) is permitted but that trade between any SDL resource units within the WRP area or outside the WRP area is not permitted relating to the water resources of the WRP area.</p> <p>With respect to trades between two locations, as the APT method applies a constant volumetric limit (where APT is equal to the SDL), trades of this type will not affect the APT method.</p> <p>As such it is not necessary for the APT method in the proposed WRP to account for trade as any introduction of administrative arrangements that enable trade would require an amendment to the</p>	

10.10 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>WRP and would be assessed against Basin Plan requirements at the time of the submission of such an amendment. Equivalent amendments to accredited WRPs in neighbouring Basin States would also be required.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
	s10.12(1) letter (e) is relevant and accounted for	True	Schedule I, Table I-1 Schedule A: NSW Murray-Darling Basin Porous Rock WSP 2020, Pt 6 Div 1	<p>Table I-1 notes that significant hydrological connectivity was considered when setting the LTAAELs for each of the SDL resource units in the WRP area. The APT method adopts these volumes as the APT for each SDL resource unit and thereby accounts for water resources which have a significant hydrological connection.</p> <p>The Authority notes that LTAAELs are set out in Division 1 of Part 6 of Schedule A and are consistent with SDL volumes.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
	s10.12(1) letter (f) is relevant and accounted for	True	Schedule I, Table I-1 Schedule A: NSW Murray Darling Basin Porous Rock WSP 2020, Pt 5,	Table I-1 indicates that take in the NSW MDB Porous Rock SDL resource units is managed under Division 1 of Part 6 of Schedule A. Any changes in the way groundwater is taken or held will not alter annual permitted take.	

10.10 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
			Div 2; Pt 6, Div 1 (including cl 25)	<p>The APT method applies the annual volumetric limits set out in cl 25 of Schedule A, taking account of the requirements for basic landholder rights identified in Division 2 of Part 5. As such, the APT is constant while allowing for changes in the way groundwater is taken or held up to the stated limit.</p> <p>Changes in the way groundwater is taken or held that result in take above the stated limit are managed through the compliance provisions in Division 1 of Part 6 and do not affect the APT.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
	s10.12(1) letter (g) is relevant and accounted for	True	Schedule I, Table I-1 Schedule A: NSW Murray Darling Basin Porous Rock WSP 2020, Pt 6 Div 1 (including cl 25)	<p>Table I-1 states that growth in use will be managed in through the operation of Division 1 of Part 6 of Schedule A.</p> <p>Examination of the APT method confirms that it applies the annual volumetric limits set out in cl 25 of Schedule A, taking account of the requirements for basic landholder rights identified in Division 2 of Part 5. As such, the APT is constant and thus accounts for growth in use up to the stated limit.</p> <p>Growth in use that results in take above the stated limit is managed through the compliance provisions in Division 1 of Part 6 and does not affect the APT.</p>	

10.10 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				Therefore, this requirement has been met.	
	s10.12(1) letter (h) is relevant and accounted for	Test turned off	WRP ss. 2.2, 5.3.2, Schedule I, Table I-1	<p>Text for accreditation at WRP s. 5.3.2 and supporting information in Table I-1 states that this requirement is not applicable and does not need to be accounted for in the annual permitted take, as GAB water is not being discharged to the Basin water resource in the NSW MDB Porous Rock WRP area because the GAB management units are managed as separate groundwater sources.</p> <p>Material at WRP s. 2.2, incorporated to meet s. 10.14 of the Basin Plan (connections with the GAB) states connection between the GAB (non-basin resource) and the WRP area is insignificant.</p> <p>The Authority is satisfied that this is the case, and therefore that the method need not account for the matters in s. 10.12(1)(h).</p> <p>The Authority is satisfied that the requirement has been met.</p>	
	s10.12(1) letter (i) is relevant and accounted for	Test turned off	Schedule I, Table I-1 Schedule A: NSW Murray Darling Basin Porous Rock WSP 2020, cl 69	<p>Table I-1 states that MAR does not currently occur in the WRP area, but future MAR could be enabled following an amendment to Schedule A in accordance with cl 69.</p> <p>The Authority is satisfied that this is the case, and notes this type of amendment to the WSP would also</p>	

10.10 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>require an amendment to the WRP. As such, the method in the proposed WRP need not account for the matters in s. 10.12(1)(i).</p> <p>The Authority is satisfied that the requirement has been met.</p>	
	Other matters are accounted for in the model	False	WRP s. 5.4.2	<p>Text for accreditation at s. 5.4.2 states that NSW does not intend for the annual permitted take methods to account for any other matters.</p> <p>As such this requirement is not applicable to the proposed WRP.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
	Acquisition and disposal of HEW is accounted for separately in a way that does not affect the method used for s10.10	True	WRP ss. 5.7.2, Schedule A: NSW Murray-Darling Basin Porous Rock WSP 2020, Pt 5 Div 2; cls 25, 50	<p>The Authority notes that there is currently no held environmental water in the WRP area.</p> <p>Further, examination of material incorporated to meet requirements of ss. 10.37 to 10.39 of the Basin Plan at WRP s. 5.7.2 and cl 50 of Schedule A confirms trade between two locations (within a) the Gunnedah-Oxley Basin SDL resource unit and b) the Sydney Basin MDB SDL resource unit) is permitted but that trade between any SDL resource units within the WRP area or outside the WRP area is not permitted.</p> <p>Trade between two locations may result in the disposal or acquisition of HEW. Examination of the</p>	

10.10 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>APT method confirms that it applies the annual volumetric limits set out in cl 25 of Schedule A, taking account of the requirements for basic landholder rights identified in Division 2 of Part 5. As such, the APT is constant and is not affected by changes in ownership of water access rights.</p> <p>Therefore, the disposal and acquisition of HEW is accounted for in a way that does not affect the APT method.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
	The method is consistent with other provisions of the water resource plan	True	<p>WRP ss. 2.2, 5.1.2, 5.3.2, 5.4.2, 5.5.2, 5.7, 7.1</p> <p>WRP Tables 5-1, 5-3, 5-4, 7-1</p> <p>Schedule D, s. 3.3</p> <p>Schedule I, ss. 1, 2.1, Table I-1</p>	<p>Text for accreditation at s. 5.4.2 states that the method for determining annual permitted take is consistent with the other provisions of this WRP.</p> <p>Examination of relevant material in WRP ss. 2.2, 5.1.2, 5.3.2, 5.4.2, 5.5.2, 5.7, 7.1, WRP Tables 5-1, 5-3, 5-4, 7-1, Schedule D s. 3.3, Schedule I ss. 1 and 2.1 and Table I-1 confirms this is the case.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
4	The method has been applied over the historical climate conditions in the demonstration	True	<p>WRP s. 5.4.2, Table 5-4</p> <p>Schedule A: NSW Murray Darling Basin</p>	Text for accreditation at s. 5.4.2 states that the simple annual permitted take method 'will result in meeting the SDL if applied over a repeat of the historical climate conditions'.	MET

10.10 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
			<p>Porous Rock WSP 2020, Pt 5, Div 2, cl 25</p> <p>Supporting information at WRP Table 5-2</p>	<p>Text for accreditation also refers to Table 5-4 as setting out the method for determining the annual permitted take. Table 5-4 references Part 5 of Division 2 and cl 25 of Schedule A to determine the volume of water for annual permitted take for each form of take in each of the SDL resource units in the WRP area.</p> <p>Examination of the cited provisions of Schedule A and the supporting information at WRP Table 5-2 confirms the simple APT method operates to equate APT to the relevant SDL for each SDL resource unit as specified in Schedule 4 to the Basin Plan.</p> <p>Assessment has confirmed that the APT equates to the relevant SDL for each SDL resource unit. As such, because APT is equal to the SDL the annual permitted take method will result in meeting the SDL for the resource unit if applied over a repeat of the historical climate conditions.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
	The results show that the method will result in the SDL for the unit, (including as amended under s23B of the <i>Water Act 2007</i>) is met	True	WRP s. 5.4.2	Text for accreditation at s. 5.4.2 also states that at the time of the making of the proposed WRP the SDL resource units of the WRP area are not subject to any adjustment under s. 23B of the Water Act and that	

10.10 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>the WRP will be amended to reflect the outcome of any adjustment under s. 23B in the future.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
5	An adjustment under <i>Water Act 2007</i> s23B has resulted in the SDL being expressed as a formula that changes with time	False	Not applicable	<p>The Authority notes that the requirements of s. 10.10(5) of the Basin Plan apply only to surface water SDL resource units.</p> <p>The assessment of the provisions addressing s. 10.03 of the Basin Plan has confirmed that the NSW Murray-Darling Basin Porous Rock WRP area applies only to groundwater resources.</p> <p>Therefore, this requirement is not applicable to the proposed WRP.</p>	Not applicable
	The WRP area comprises surface water SDL resource units that constitute an 'affected unit' under the SDLAM	Test turned off			
	The formula that comprises the method applies the water accounting dates and SDLs in letters (a-c)	Test turned off			

Section 10.11 – Rules for take, including water allocation rules

- (1) A water resource plan must set out rules (including, if applicable, rules for water allocations) that ensure, as far as practicable, that the quantity of water actually taken from each SDL resource unit for consumptive use in a water accounting period that beginning on or after 1 July 2019 does not (after making any adjustments for the disposal or acquisition of held environmental water) exceed the unit's annual permitted take for the period.

Note 1: Water resource plans are not required to give effect to the long-term average sustainable diversion limits until 1 July 2019. Compliance with the long-term annual diversion limit will then be measured using the annual permitted take (see Part 4 of Chapter 6). The annual permitted take is defined in subsection 6.10(1) and 6.12B(1).

Note 2: Water allocations can be made during or before a water accounting period. The annual permitted take is usually worked out after the end of a water accounting period.

A water resource plan may provide for less water to be taken

- (2) To avoid doubt, the rules may be designed to ensure that the quantity of water that is actually taken for consumptive use from an SDL resource unit in a water accounting period is less than the annual permitted take.

10.11 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	Rules are included in the WRP	True	Schedule B WRP s. 5.5.2 Schedule A: NSW Murray Darling Basin Porous Rock WSP 2020, Pt 6 Div 1; cls 34, 36	Schedule B refers to WRP s. 5.5.2 as addressing the requirements of s. 10.11 of the Basin Plan. Text for accreditation at s. 5.5.2 refers to Division 1 of Part 6 of and cls 34 and 36 of Schedule A as setting out rules that ensure that, as far as practicable, the quantity of water taken from the NSW Murray-Darling Basin Porous Rock SDL resource units for consumptive use in a water accounting period beginning on or after 1 July 2019 does not exceed the annual permitted take for the period. Examination of the cited rules in Schedule A confirms that:	MET

10.11 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<ul style="list-style-type: none"> Part 6 Division 1 establishes rules for SDL compliance, thereby ensuring compliance with annual permitted take. Clauses 34 and 36 establishes default annual available water determinations for aquifer access licences (cl 34) and rules for debiting water allocation accounts (cl 36). <p>The default available water determination and the maximum water account debit is subject to variation by the Minister at the commencement of each water accounting period. The available water determinations and maximum water allocation account limits also operate to restrict take, in the event annual actual take exceeds annual permitted take in the preceding water accounting period, consistent with SDL compliance arrangements.</p> <p>The Authority notes that the rules incorporated in the proposed WRP for the purpose of s. 10.11 of the Basin Plan operate to adjust take under access licences in order to achieve the relevant LTAAELs and SDLs. The rules do not operate to restrict take under basic rights.</p> <p>However, the Authority is satisfied that in the case of take under basic rights, the prospect of any growth in use under this form of take causing an exceedance of the annual permitted take is negligible and that the operation of Schedule A to meet the requirements of s. 10.10 of the Basin Plan, means that any increase in the estimate of take under this right would be addressed through a corresponding reduction in take under aquifer access licences.</p>	

10.11 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				The Authority is satisfied that the requirement has been met.	
	The rules ensure that the quantity of water actually taken does not exceed annual permitted take	True	WRP s. 5.5.2 Schedule A: NSW Murray Darling Basin Porous Rock WSP 2020, Pt 6 Div 1; cls 34, 36	<p>Text for accreditation at s. 5.5.2 refers to Part 6 and cls 34 and 36 of Schedule A as setting out rules that ensure that, as far as practicable, the quantity of water actually taken from the NSW Murray-Darling Basin Porous Rock SDL resource units for consumptive use in a water accounting period beginning on or after 1 July 2019 does not exceed the annual permitted take for the period.</p> <p>The assessment against s. 10.10(4) of the Basin Plan has confirmed that the APT method operates to equate APT to the relevant SDL for each SDL resource unit. The above assessment has confirmed that the cited provisions do operate to limit take to the SDLs, which in effect operates to limit take to the APT.</p> <p>The Authority is satisfied that this requirement has been met.</p>	
	Rules for water allocation are included in the WRP	True	WRP s. 5.5.2 Schedule A: NSW Murray Darling Basin Porous Rock WSP 2020, Pt 6 Div 1; cls 34, 36	<p>Text for accreditation at s. 5.5.2 incorporates:</p> <ul style="list-style-type: none"> • Division 1 of Part 6 of Schedule A, which establishes rules for SDL compliance including restrictions to annual available water determinations • clauses 34 and 36 of Schedule A, which establish default settings for annual available water determinations (cl 34) and maximum water allocation account debits (cl 36). <p>Examination of these provisions confirms they are rules for water allocation.</p>	

10.11 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				The Authority is satisfied that the requirement has been met.	
	Rules for water allocation ensure that take does not exceed annual permitted take	True	WRP s. 5.5.2	As set out in the assessment above, the proposed WRP incorporates rules for water allocation that operate to ensure that take does not exceed APT. The Authority is satisfied that the requirement has been met.	
	The rationale for not applying rules for water allocation has merit	Test turned off	N/A	This requirement is not applicable because the proposed WRP applies rules for the purposes of this section, as set out in text for accreditation under s. 5.5.2	
	The rationale for 'as far as practicable' has merit.	True	WRP s. 5.5.2 Schedule A: NSW Murray Darling Basin Porous Rock WSP 2020, Pt 6 Div 1; cls 34, 36	The rationale for 'as far as practicable' has merit because text for accreditation at s. 5.5.2 incorporates rules from Schedule A, which have been assessed as meeting requirements. The Authority is satisfied that the requirement has been met.	
2	The rules for take will result in actual take being less than permitted take	False	WRP s. 5.5.2	Assessment for the purpose of s. 10.11(1) has confirmed the proposed WRP does not incorporate text for accreditation that establishes rules governing annual actual take that are designed to ensure annual actual take will be less than annual permitted take. Therefore, the requirement is not relevant to be met.	Not applicable

10.11 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	Actual take will realistically be less than permitted take	Test turned off	WRP s. 5.5.2	<p>As set out above, the Authority is satisfied that the rules for take are not designed so that take will result in actual take being less than permitted take.</p> <p>Therefore, this requirement is not relevant to be met.</p>	

Section 10.12 – Matters relating to accounting for water

(1) For paragraph 10.10(3)(a), the following matters must be accounted for:

- (a) all forms of take from the SDL resource unit and all classes of water access right;
- (b) water allocations that are determined in one water accounting period and used in another, including water allocations that are carried over from one water accounting period to the next;
- (c) for a surface water SDL resource unit—return flows, in a way that is consistent with arrangements under the Agreement immediately before the commencement of the Basin Plan;
- (d) subject to subsection (3)—trade of water access rights;
- (e) water resources which have a significant hydrological connection to the water resources of the SDL resource unit;
- (f) circumstances in which there is a change in the way water is taken or held under a water access right;
- (g) changes over time in the extent to which water allocations in the unit are utilised;
Note: Paragraph (g) includes what is commonly known as a growth-in-use strategy.
- (h) water sourced from the Great Artesian Basin and released into a Basin water resource, by excluding that water;
- (i) water resources which are used for the purpose of managed aquifer recharge.

(2) Subject to this section, the method may account for other matters.

(3) For paragraph (1)(d), the water resource plan must account for the disposal and acquisition of held environmental water separately and in a way that does not affect the method under section 10.10.

10.12 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1 (a) – (i)	The WRP states which of the matters in letter (a) to (i) are and are not applicable	True	Schedule B WRP ss. 5.3.2 and 5.4.2 Schedule I s. 2.1, Table I-1	Schedule B refers to WRP ss. 5.3.2 and 5.4.2 as addressing the requirements of s. 10.12 of the Basin Plan. Text for accreditation at s. 5.4.2 identifies s. 2.1 of Schedule I as addressing the requirements of s. 10.12(1) of the Basin Plan. Examination of s. 2.1 of Schedule I confirms it includes Table I-1 titled as 'Matters to be accounted for under 10.12	MET

10.12 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>(1) of the Basin Plan in relation to APT methods'. Table I-1 shows each matter in ss. 10.12(1)(a)-(i) is addressed.</p> <p>Text for accreditation at s. 5.3.2 provides further information relating to the matters in ss. 10.12(1)(h) and 10.12(1)(d).</p> <p>An assessment of the responses for ss. 10.12(1)(a)-(i) is provided under s. 10.10(3)(a) of this assessment report, which finds that each matter is addressed.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
	The WRP explains why the matters in letter (a) to (i) that are stated as 'not be applicable' do not apply	True	Schedule I, Table I-1	<p>The responses for ss. 10.12(1)(a)-(i) in column two of Table I-1 sets out the accounting of each matter and whether each matter is applicable or not.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
	Each of the relevant matters in letters (a) to (i) is accounted for in s10.10(3)(a)	True	WRP s. 5.3.2 WRP Schedule 1, Table I-1	<p>The Authority is satisfied that each of the relevant matters in letters (a) to (i) is accounted for in the annual permitted take method in s. 10.10(3)(a), as assessed under s. 10.10(3)(a) of this assessment report and presented in Table I-1 and s. 5.3.2.</p> <p>The Authority is satisfied that the requirement has been met.</p>	

10.12 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
2	The method in 10.10 accounts for matters other than those under 10.12(1)	False	WRP s. 5.4.2	Text for accreditation at WRP s. 5.4.2 states that 'NSW does not intend for the annual permitted take method to account for any other matters'. Therefore, this requirement is not applicable.	Not applicable
	The other matter(s) accounted for under the section is (are) permissible and the accounting treatment appropriate	Test turned off	N/A	As the method does not account for any other matters, this test is turned off.	
3	The method in s10.10 accounts for disposal and acquisition of HEW separately	True	WRP s. 5.3.2, 5.7.2 Schedule A: NSW Murray Darling Basin Porous Rock WSP 2020, Pt 6 Div 1, cls 25 and Pt 5 Div 2; cl 50	The Authority notes that there is currently no held environmental water in the WRP area. Further, examination of material incorporated to meet requirements of ss. 10.37 to 10.39 of the Basin Plan at WRP s. 5.7.2 and cl 50 of Schedule A confirms trade between two locations (within a) the Gunnedah-Oxley Basin SDL resource unit and b) the Sydney Basin MDB SDL resource unit) is permitted but that trade between any SDL resource units within the WRP area or outside the WRP area is not permitted.	MET
	The disposal and acquisition of HEW does not affect the method under s.10.10	True		Trade between two locations may result in the disposal or acquisition of HEW. Examination of the APT method confirms that it applies the annual volumetric limits set out in cl 25 of Schedule A, taking account of the requirements for basic landholder rights identified in Division 2 of Part 5.	

10.12 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>As such, the APT is constant and is not affected by changes in ownership of water access rights.</p> <p>Text for accreditation at s. 5.3.2 provides information relating to the management of annual actual take and does not affect the APT method.</p> <p>Therefore, the disposal and acquisition of HEW is accounted for in a way that does not affect the APT method.</p> <p>The Authority is satisfied that the requirement has been met.</p>	

Section 10.13 – Limits on certain forms of take

- (1) Subject to this section, a water resource plan must require that the long-term annual average quantity of water that can be taken from a surface water SDL resource unit for consumptive use by:
- (a) take under basic rights; or
 - (b) take by runoff dams; or
 - (c) net take by commercial plantations;
- does not exceed the level specified in column 2 of Schedule 3 for that form of take.
- (2) The quantity specified in subsection (1) for a form of take may be increased above the level specified in column 2 of Schedule 3 for that form of take if:
- (a) the long-term annual average quantity of water that can be taken by another form of take from the same SDL resource unit is changed at the same time so that there is no overall change in the total long-term annual average quantity of water that can be taken; and
 - (b) take by the forms of take affected by the changes are capable of:
 - (i) being accurately measured (for example, through the use of a meter); or
 - (ii) in the case of a form of take that is not capable of being accurately measured at the time the water resource plan is submitted for accreditation or adoption—being reasonably estimated using the best available method immediately before the water resource plan is submitted; and
 - (c) the changes are not expected to result in the take from the SDL resource unit ceasing to be an environmentally sustainable level of take.

10.13 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The LTAA quantity of take is stated as a volume for each form of take described in column 2 of Schedule 3 as follows:	False	Schedule B	Schedule B notes that s. 10.13 of the Basin Plan applies to surface water WRPs. This assessment has confirmed that the proposed WRP applies to groundwater SDL resource units only.	Not applicable
	take under basic rights	Test turned off			

10.13 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	take by runoff dams	Test turned off		Therefore this requirement is not applicable.	
	net take by commercial plantations	Test turned off			
	The limits (volume) for each form of take in subsection 1 letter (a) to (c) does not exceed the corresponding levels stated in column 2 of Schedule 3 for that form of take	Test turned off			
	The provision states that the LTAA quantity (volume) does not (and will not) exceed the levels	Test turned off			
	The provision states that one or more limits (volumes) exceeds the levels, and that s10.13(2) is applied	Test turned off			
2	Section 10.13(1) identifies that the LTAA quantity (volume) (i.e. for basic rights, runoff dams and/or commercial plantations) has increased, and/or will increase over the life of the WRP	Test turned off			Not applicable
2(a)	The increase in take above the levels set out under s10.13(1) is offset in full by reduction	Test turned off			

10.13 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	in level for another form(s) of take in the same SDL resource unit				
2(b)	Accurate measurement (metering) is applied to affected forms of take	Test turned off			
	The method of estimate is reasonable; and applies best available information	Test turned off			
2(c)	The increase to levels of take under subsection 1 are not expected to result in take above the limit for environmentally sustainable level of take	Test turned off			
	A process to address future increases to the quantity of take under basic rights, by runoff dams, and/or net take by commercial plantations is provided over the term of the WRP	Test turned off			
	The process to increase quantity is based on a risk assessment, and comprises a trigger for advice to the MDBA that the process will be triggered and that it is necessary	Test turned off			

Section 10.14 – Effects, and potential effects, on water resources of the water resource plan area

- (1) A water resource plan must identify the effect, or potential effect, if any, of the following on the use and management of the water resources of the water resource plan area:
 - (a) the taking of groundwater that is not a Basin water resource resulting in water being removed from a groundwater SDL resource unit in the water resource plan area because of a pre-existing hydrological connection or a hydrological connection created by the process of taking that groundwater;
 - (b) the taking of groundwater that is not a Basin water resource resulting in water that would otherwise flow directly or indirectly into an SDL resource unit in the water resource plan area no longer flowing into that unit.
- (2) If a water resource plan identifies an effect, or potential effect, of the kind referred to in subsection (1), the water resource plan must set out:
 - (a) a process for monitoring that effect or potential effect; and
 - (b) actions that will be taken to respond to that effect or potential effect.
- (3) Without limiting paragraph (2)(b), the water resource plan may require a person to hold a water access right in the water resource plan area in relation to the effect, or potential effect, identified.

10.14 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	There are effects or potential effects of take from non-Basin groundwater resources upon the SDL resource unit water resources	False	Schedule B WRP s. 2.2 Schedule D, s. 3.3	Schedule B refers to WRP s. 2.2 as addressing s. 10.14 of the Basin Plan. Text for accreditation at s. 2.2 refers to s. 3.3 of Schedule D to outline effects or potential affects relevant to this requirement.	Not applicable
1(a)	Effects or potential effects of take from a non-Basin groundwater resource with hydrological connection (pre-existing or arising post-take) are identified	False		Section 3.3 of Schedule D sets out the nature of any connections between the water resources of the WRP area and those of relevant non-Basin groundwater resources (in this case those of the GAB) and the	

10.14 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1(b)	Effects or potential effects of take from a non-Basin groundwater resource resulting (directly or indirectly) in water no longer flowing are identified	False	Schedule D, s. 3.3	management arrangements in place to manage any connections. The material in s. 3.3 sets out that there is not likely to be any effect on the water resources of the proposed WRP as a result of take from the GAB.	
	The rationale for 'no effect' as described in s10.14(1) has merit	True	Schedule D, s. 3.3	The Authority is satisfied that the connection between the GAB and NSW Murray-Darling Basin Porous Rock WRP is identified in Schedule D and the rationale demonstrates there is 'no effect' from take. As such the Authority is satisfied that the requirements of s. 10.14 of the Basin Plan are not applicable to the NSW Murray-Darling Basin Porous Rock WRP area.	
2	Section 10.14(1) identifies effects or potential effects	False	WRP s. 2.2 Schedule D, s. 3.3	Assessment of material to meet s. 10.14(1) has found that the requirements are not applicable to the WRP area.	Not applicable
2(a)	Monitoring of effects is set out	False			
2(b)	Action to be taken is set out	False			
3	The WRP provides that a person must hold a water access right in the WRP area in relation to the effect (in s10.14(1))	Test turned off	WRP s. 2.2 Schedule D, s. 3.3		Not applicable

Section 10.15 – Determination of actual take must be specified

- (1) A water resource plan must set out how the quantity of water actually taken for consumptive use by each form of take from each SDL resource unit will be determined after the end of a water accounting period using the best information available at the time.

Note: The annual actual take for the SDL resource unit is the sum of the quantity of water actually taken by each form of take for consumptive use: see subsection 6.10(2) and 6.12B(2). Paragraph 71(1)(c) of the Act requires the annual actual take to be set out in a report to the Authority within 4 months after the end of the water accounting period.

- (2) For a particular form of take, and subject to the requirement that a determination use the best information available at the time, a determination may be made by:
- (a) measuring the quantity of water actually taken; or
 - (b) estimating the quantity of water actually taken; or
 - (c) a combination of the above.
- (3) Where a determination for a form of take is made by estimating the quantity of water actually taken, the water resource plan must provide for the estimate to be done consistently with the method under subsection 10.10(1) that relates to that form of take.
- (4) The quantity of water actually taken must:
- (a) include water that was held environmental water which was disposed of and then used in the SDL resource unit for consumptive use; and
 - (b) exclude water sourced from the Great Artesian Basin and released into and taken from a Basin water resource.

10.15 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	A method for determining annual actual take is set out for each form of take from each SDL resource unit	Present	Schedule B WRP s. 5.3.2, Table 5-3 Schedule I, s. 1	Schedule B refers to WRP s. 5.3.2 as addressing s. 10.15 of the Basin Plan. Text for accreditation at s. 5.3.2 refers to WRP Table 5-3 and to s. 1 of Schedule I for the method to determine annual actual take at the end of the water accounting period. Examination of the cited material confirms the forms of take identified are 'Take from groundwater' and 'Take under	MET

10.15 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>basic rights' in each SDL resource unit. These two forms of take are consistent with those listed in s. 1.07 of the Basin Plan.</p> <p>Further, Table 5-3 describes whether annual actual take is measured or estimated for each form of take in each SDL resource unit and refers to s. 1 of Schedule I for a detailed description of each method.</p> <p>Section 1 of Schedule I confirms it provides the detailed method of measurement or estimation for each form of take set out in Table 5-3.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
	The method applies best available information	True	Schedule I, s. 1 Schedule A: NSW Murray-Darling Basin Porous Rock WSP 2020, Pt 5 (including cl 19)	<p>Table 5-3 refers to Schedule I s. 1 and Schedule A cl 19, as setting out methods for the determination of annual actual take. The annual actual take method for each form of take given in the cited references is assessed below for application of best available information:</p> <p><u>Take from groundwater</u></p> <p>The method for determining annual actual take at the end of each water accounting period given in s. 1.1 of Schedule I for all licensed groundwater take in the SDL resource units of the WRP area is set out as follows:</p> <ul style="list-style-type: none"> Where meters are installed and operational, metered data will be used to measure take 	

10.15 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<ul style="list-style-type: none"> Where meters are not installed or operational, but estimated take has been provided in an approved form, that estimated take will be used Verifiably inactive licences without meters will have a take estimated as zero. In partially metered SDL resource units where meters are not installed on a work, take will be estimated by multiplying the unmetered proportion of the total shares made available in that water year for each class of access right as specified in Part 5 of the Schedule A by either a specific or a general utilisation factor For domestic and stock access licences where estimated take has not been provided in an approved form, the estimated take is the volume available in the water allocation account for that water year. <p>Section 1.1 of Schedule I also notes that all non-exempt groundwater water supply works in this WRP area are to have a meter that is pattern-approved and installed in accordance with the WM Regulation 2018 and associated metering policies.</p> <p>The Authority is satisfied that this represents the best available information for this form of take.</p> <p><u>Take under basic rights</u> For domestic and stock rights, s. 1.2 of Schedule I sets out</p>	

10.15 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>that the method for determining annual actual take for this water access right is an estimation set to the full utilisation of the total annual volume in each SDL resource unit specified in cl 19 of Schedule A.</p> <p>The Authority is satisfied that this represents the best available information for this form of take.</p> <p>For native title rights, s. 1.3 of Schedule I sets out that the method for determining annual actual take under this water access right will be through an estimation based on the lesser of the allowable volume as specified under any determination under the Native Title Act 1993 or an alternate volume using best available information in relation to any determination under the Native Title Act 1993. The Authority is satisfied that this represents the best available information for this form of take.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
2	For each form of take, the method for determining annual actual take is nominated as either 'measuring', 'estimating' or a combination	True	WRP s. 5.3.2, Table 5-3 Schedule I, s. 1.1	<p>Text for accreditation at WRP s. 5.3.2 refers to Table 5-3 for a description of the methods used to determine annual actual take.</p> <p><u>Take from groundwater</u> is 'measured and estimated' as stated in Table 5-3.</p> <p><u>Take under basic rights</u> (domestic and stock rights, and native title rights) is 'estimated' as stated in Table 5-3.</p>	MET

10.15 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>The measurement methods in Table 5-3 are consistent with those described in s. 1 of Schedule I.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
3	All forms of take that use estimation (including in combination) to determine the quantity of annual actual take are identified (exhaustive)	True	WRP Table 5-3 Schedule I, s. 1.1	<p>For each form of take that is estimated the following assessment is made on whether the annual actual take method is identified as estimated:</p> <p><u>Take from groundwater</u> is 'measured and estimated' as stated in Table 5-3.</p> <p><u>Take under basic rights</u> (domestic and stock rights, and native title rights) is 'estimated' as stated in Table 5-3.</p> <p>The measurement methods in Table 5-3 are consistent with those described in Schedule I s. 1. Therefore, all forms of take that use estimation (including in combination) to determine the quantity of annual actual take are identified (exhaustive).</p> <p>The Authority is satisfied that the requirement has been met.</p>	MET
	Where estimation is used (includes 'combined'), the estimation is consistent with the method in s10.10(1) for that form of take	True	WRP s. 5.3.2, Tables 5-3, 5-4 Supporting information at Table 5-4	Text for accreditation at s. 5.3.2 states that where the method for the determination of annual actual take is estimated, it is consistent with the method in the proposed WRP for the determination of annual permitted take under s. 10.10(1) of the Basin Plan.	

10.15 subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
		<p>Schedule A: NSW Murray-Darling Basin Porous Rock WSP 2020, Pt 5 Div 2 (including cls 19, 20)</p> <p>Schedule I, s. 1 (including ss. 1.1, 1.3)</p>	<p><u>Take from groundwater</u></p> <p>For take from groundwater, the simple APT method adopted by the proposed WRP – and set out at Table 5-4 - equates APT to the limits for take set out in Schedule A minus take under basic rights. For annual actual take, Table 5-3 states that annual actual take is measured and estimated in accordance with policies and practices detailed in Schedule I s. 1.1.</p> <p>For estimated annual actual take, the method is to use approved estimates or estimates of zero take for confirmed inactive licences or the volume available in the water allocation account for the year.</p> <p>The Authority is satisfied that both the APT and annual actual take methods operate to apply the limits set out in Schedule A, reflecting the climate variability in the relevant water year, and so are consistent.</p> <p><u>Take under basic rights</u></p> <p>For domestic and stock rights, the simple APT method adopted by the proposed WRP – and set out at Table 5-4 – equates APT to the volume for this class of water access right, specified in Part 5 Division 2 (cl 19) of Schedule A. For annual actual take, Table 5-3 also references cl 19 of Schedule A to determine actual take for this class of water access right.</p> <p>For native title rights, the simple APT method adopted by the proposed WRP – and set out at Table 5-4 – equates APT to the volume for this class of water access right, specified in</p>	

10.15 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>Division 2 of Part 5 (cl 20) of Schedule A. For annual actual take, Table 5-3 also references Schedule I, s. 1.3 and cl 20 of Schedule A to determine actual take for this class of water access right.</p> <p>Clause 20 of Schedule A confirms the volume of water that can be taken under this class of water access right is determined in accordance with the Native Title Act 1993.</p> <p>For annual actual take, Table 5-3 also references determinations under the Native Title Act 1993 (through s. 1.3 of Schedule I) to determine actual take for this class of water access right, thus making the methods consistent.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
4	The WRP describes whether the circumstances in letters (a) and/or (b) are relevant in the WRP area	True	WRP s. 5.3.2	Text for accreditation at WRP s. 5.3.2 indicates that the circumstances in letter (a) are relevant and in letter (b) are not relevant to the NSW Murray-Darling Basin Porous Rock WRP area. See assessment below for details.	MET
	The WRP provides a method that is capable of accounting for the quantity of actual annual take in a way that:	True	WRP s. 5.3.2	<p>Text for accreditation at s. 5.3.2 states that:</p> <p>If any current or future held or acquired environmental water in an SDL resource unit of this WRPA is disposed of and then used for consumptive</p>	

10.15 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	includes HEW that was disposed of and used for consumptive use	True		<p>use, that use will be determined in accordance with the take method specified in Table 5-3 and section 1 of Schedule I for the take type and class of water access right, and included in the AAT.</p> <p>This means that the proposed WRP provides a method that is capable of accounting for the quantity of annual actual take in a way that includes HEW that is disposed of and used for consumptive purposes.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
	excludes water sourced from the GAB and released into and taken from a Basin water resource	False	WRP s. 5.3.2	<p>Text for accreditation at s. 5.3.2 states that water sourced from the GAB cannot be released into and taken from the SDL resource units of this WRP area. Therefore, the method does not need to consider water released into and taken from the GAB.</p> <p>Based on this information and assessment of material to meet s. 10.14 of the Basin Plan (effects on water resources) the Authority is satisfied that the methods account for actual take in a way that excludes water sourced from the GAB.</p> <p>The Authority is satisfied that the requirement has been met.</p>	

Part 4 The sustainable use and management of water resources

Section 10.16 – Sustainable use and management

This part sets out the requirements in relation to the sustainable use and management of water resources of the water resource plan area within the long-term annual diversion limit for an SDL resource unit.

**Section 10.16 is a
simplified outline of Part 4
only and therefore there
is no requirement to
assess**

Section 10.17 – Priority environmental assets and priority ecosystem functions

(1) A water resource plan must be prepared having regard to whether it is necessary for it to include rules which ensure that the operation of the plan does not compromise the meeting of environmental watering requirements of priority environmental assets and priority ecosystem functions.

Note: The environmental watering requirements of priority environmental assets and priority ecosystem functions will be set out in long-term watering plans and may also be set out in the Basin-wide environmental watering strategy. Long-term watering plans are required to use the methods in Part 5 of Chapter 8 to identify those requirements.

(2) Without limiting subsection (1), regard must be had to whether it is necessary for the rules to prescribe:

- (a) the times, places and rates at which water is permitted to be taken from a surface water SDL resource unit; and
- (b) how water resources in the water resource plan area must be managed and used.

(3) If the outcome of the requirement in subsection (1) is that such rules are necessary, the water resource plan must include those rules.

10.17 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP demonstrates that regard was had to the need for rules to ensure that the operation of the WRP does not compromise the desired flow regimes (as expressed by the environmental watering requirements) that are needed to protect PEAs/PEFs	True	Schedule B WRP s. 4.2, Table 3-1 Schedule D, s. 6	Schedule B identifies WRP s. 4.2 as addressing the requirements of s. 10.17 of the Basin Plan. Text for accreditation at s. 4.2 states that no specific rules are included for the management of surface water-dependent PEAs and PEFs. This statement is reasonable as assessment of material incorporated into the proposed WRP to meet Part 2 of Chapter 10 of the Basin Plan has confirmed the proposed WRP is only applicable to groundwater resources. Text for accreditation at s. 4.2 incorporated for the purpose of ss. 10.18, 10.19 and 10.22 of the Basin Plan also refers to WRP Table 3-1 and s. 6 of Schedule D to demonstrate that regard was had to the need for	MET

10.17 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>rules to manage the risks to meeting environmental watering requirements of GDEs and instream ecological values.</p> <p>Examination of s. 6 of Schedule D confirms that risks to PEAs and PEFs that are solely dependent on groundwater, and those that are dependent on both ground and surface water, including risks to the capacity to meet EWRs of PEAs and PEFs, are considered as part of the risk assessment. Risks of this type and the incorporation of appropriate rules is considered in the assessment of material to address ss. 10.18, 10.19 and 10.22.</p> <p>Further examination of the cited text confirms that regard to the need for rules is evidenced by conducting the risk assessment.</p> <p>The proposed WRP has regard to the need for rules which ensure that the operation of the plan does not compromise the meeting of EWRs of solely surface water-dependent PEAs and PEFs.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
2	Regard was had to the need for rules to prescribe:				Not applicable

10.17 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	(a) times, places and rates for permitted take from a surface water SDL resource unit	Test turned off	Not applicable	The statement in the proposed WRP that rules are not required for solely surface water dependent PEAs and PEFs has been found to be acceptable. Therefore, the requirement to have regard for rules, as considered under s. 10.17(2) of the Basin Plan, does not apply to the WRP area.	
	(b) how water resources in the WRP area must be managed and used	Test turned off	Not applicable		
3	Rules are included	Test turned off	Not applicable	<p>The outcome of the requirement in ss. 10.17(1) and (2) above, is that rules which ensure that the operation of the plan does not compromise the meeting of EWRs of solely surface water-dependent PEAs and PEFs, are not necessary.</p> <p>The incorporation of appropriate rules to manage risks to PEAs and PEFs that are solely dependent on groundwater, and those that are dependent on both ground and surface water, including risks to the capacity to meet EWRs of PEAs and PEFs, is considered in the assessment of material to address ss. 10.18, 10.19 and 10.22 below.</p> <p>The Authority is satisfied that rules are not needed for the purposes of s. 10.17(3) for this WRP area. Therefore, the requirement is not applicable.</p>	Not applicable

10.17 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	A rationale is provided for the application of section 10.17(2)	Test turned off	Not applicable	Not applicable as per assessment test above	
	A rationale is provided for why rules are not necessary	Test turned off	Not applicable	Not applicable as per assessment test above	
	A rationale is provided for why rules are not included	Test turned off	Not applicable	Not applicable as per assessment test above	

Section 10.18 – Priority environmental assets dependent on groundwater

(1) A water resource plan must be prepared having regard to whether it is necessary for it to include rules which ensure that, for priority environmental assets and priority ecosystem functions that depend on groundwater, the operation of the plan does not compromise the meeting of environmental watering requirements.

Note: The environmental watering requirements of priority environmental assets and priority ecosystem functions will be set out in long-term watering plans and may also be set out in the Basin-wide environmental watering strategy. Long-term watering plans are required to use the methods in Part 5 of Chapter 8 to identify those requirements.

(2) Without limiting subsection (1), regard must be had to whether it is necessary for the water resource plan to include rules that specify:

- (a) the times, places and rates at which water is permitted to be taken from a groundwater SDL resource unit; and
- (b) resource condition limits, being limits beyond which the taking of groundwater will, for a priority environmental asset that depends on groundwater, compromise an environmental watering requirement; and
- (c) restrictions on the water permitted to be taken (including the times, places and rates at which water may be taken) in order to prevent a resource condition limit from being exceeded.

(3) If the outcome of the requirement in subsection (1) is that such rules are necessary, the water resource plan must include those rules.

10.18 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP demonstrates that regard was had to the need for rules to ensure that the operation of the WRP does not compromise the surface water flow regimes, and/or groundwater PEW or groundwater HEW (as expressed by the environmental watering requirements) that are needed to protect groundwater dependent PEAs/PEFs	True	Schedule B WRP s. 4.2, Table 3-1 Schedule A: NSW Murray Darling Basin Porous Rock Groundwater WSP 2020, cl 4(8) Schedule D, ss. 6, 6.3.3.2, 6.3.3.3	Schedule B identifies WRP s. 4.2 as addressing the requirements of s. 10.18 of the Basin Plan. Text for accreditation at s. 4.2 identifies PEAs and PEFs that depend on groundwater via the High-Priority GDEs Map, as referenced in cl 4(8) of Schedule A. Text for accreditation at s. 4.2 also states that NSW is developing a process to confirm the probability of groundwater-dependence for high priority GDEs that will be in place by the end of	MET

10.18 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>2022. The Authority understands that the confirmation process will ensure that setback distance rules can be applied to manage risks relevant to this requirement. Text for accreditation at s. 4.2 states that regard has been had to the need for rules to manage the risks to meeting environmental watering requirements to GDEs and instream ecological values in the WRP area and refers to WRP Table 3-1 and s. 6 of Schedule D as evidence of this consideration.</p> <p>Examination of s 6 of Schedule D confirms that it sets out the assessment of risks to water available for the environment, as relevant to groundwater-dependent PEAs and PEFs. Sections 6.3.3.2 and 6.3.3.3 in particular set out existing rules that are in place to mitigate risks.</p> <p>The risk assessment concluded that there are risks in the 'medium' and 'high' category.</p> <p>Examination of Table 3-1 confirms it summarises these risks and the risk assessment outcomes. The regard to the need for rules is demonstrated by conducting the risk assessment. The outcome of the risk assessment is that rules are necessary.</p> <p>The proposed WRP has demonstrated regard to the need for rules which ensure that, for PEAs</p>	

10.18 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>and PEFs that depend on groundwater, the operation of the proposed WRP does not compromise the meeting of their EWRs.</p> <p>The Authority is satisfied that the requirement is met.</p>	
2	Regard was had to the need for rules to specify:				MET
	(a) times, places and rates for permitted take from a groundwater SDL resource unit	True	WRP s. 4.2	<p>Text for accreditation at WRP s. 4.2 states that regard has been had to the need for rules to manage the risks to meeting EWRs for GDEs and instream ecological values in the WRP area and refers to provisions from State instruments as well as provisions in the proposed WRP, as identified in the assessment test relating to s. 10.18(3) below. These provisions operate as rules to ensure that the operation of the Plan does not compromise the meeting of EWRs of GDEs, instream ecological values, and other surface water PEAs and PEFs that may also be dependent on groundwater in the WRP area.</p> <p>Examination of the cited provisions confirms that they include rules of the type required under ss. 10.18(2)(a), (b) and (c). Additional details of these rules are provided in the assessment below for s. 10.18(3).</p>	
	b) limits for groundwater take beyond which the condition of the groundwater resource would compromise the desired flow regimes, groundwater HEW and PEW (environmental watering requirements) needed to protect priority groundwater dependent PEAs	True	<p>Schedule A: NSW Murray Darling Basin Porous Rock Groundwater WSP 2020, Pt 6, Div 1; cls 36, 41, 43(1)(b) to (f), 43(2), 43(3)</p> <p>WMA 2000, ss. 100(1)(b)(ii), 97(2), 107(5), 324(1), 324(2)</p>		
	(c) restrictions on water permitted to be taken (including times, places and rates of take) that prevents take from exceeding the resource condition limits	True	<p>Access Licence Dealing Principles Order 2004, cl 7(1)</p> <p>Schedule I, Figure I-4, Table I-2</p>		

10.18 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				The Authority is satisfied that the requirement has been met.	
3	Rules are included	True	<p>WRP s. 4.2</p> <p>Schedule A: NSW Murray Darling Basin Porous Rock Groundwater WSP 2020, Pt 6, Div 1; cls 36, 41, 43(1)(b) to (f), 43(2), 43(3)</p> <p>WMA 2000, ss. 100(1)(b)(ii), 97(2), 107(5), 324(1), (2)</p> <p>Access Licence Dealing Principles Order 2004, cl 7(1)</p> <p>Schedule I, Figure I-4, Table I-2</p>	<p>The outcome of the requirements in ss. 10.18(1) and (2) is that rules are necessary. Text for accreditation at WRP s. 4.2 incorporates the rules included in Schedule A and the WMA 2000 to ensure the WRP does not compromise the meeting of EWRs of GDEs, instream ecological values, and other surface water PEAs and PEFs that may also be dependent on groundwater in the WRP area.</p> <ul style="list-style-type: none"> • Examination of the cited material shows that: • Division 1 of Part 6 of Schedule A sets limits for take to SDLs which ensures the EWRs of PEAs and PEFs are not compromised. These limits are also a general measure for managing significant hydrological connections over the long term and therefore also contribute to the protection of EWRs for connected resources • cl 36 of Schedule A defines the maximum water account debit to ensure take under access licences is 	MET

10.18 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>within limits. This contributes to the maintaining the physical presence of water, which supports the protection of EWRs of PEAs and PEFs</p> <ul style="list-style-type: none"> • cls 41, 43(1)(b) to (f), 43(2), 43(3) of Schedule A restrict the location of new or amended works to minimise impacts on GDEs and instream ecological values • s. 100(1)(b)(ii) of the WMA 2000 provides for the NSW Minister to impose conditions relating to the protection of the environment • ss. 97(2) and 107(5) of the WMA 2000 provide that the NSW Minister may conditionally grant a new or amended water supply work approval if satisfied the approval will result in no more than minimal harm to any water source, or its dependent ecosystems • ss. 324 (1) and (2) of the WMA 2000 authorises the NSW Minister to prohibit or restrict the taking of water from that aquifer to maintain or protect water levels in an aquifer, maintain pressure, or to ensure pressure recovery, in an 	

10.18 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>aquifer, or to protect groundwater-dependent ecosystems</p> <ul style="list-style-type: none"> cl 7(1) of the <i>Access Licence Dealing Principles Order 2004</i> ensures that dealings do not adversely affect environmental water and water dependent ecosystems as identified in any relevant management plan. <p>Examination of the cited provisions confirm these instruments contain rules and they operate as described.</p> <p>In relation to the rules that restrict the location of new or amended works, the Authority notes that there have been reductions in some of the resulting setback distances compared with pre-Basin Plan conditions. However, there is also an increase in the area protected by these rules as a result of the improved identification of High Priority GDEs.</p> <p>Further, s. 4.2 also incorporates Figure I-4 and Table I-2 of Schedule I which detail the process and criteria for determining the circumstances in which limits on the rate of extraction of groundwater from works would be applied to prevent unacceptable impacts on groundwater-</p>	

10.18 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>dependent ecosystems and instream ecological values at the local scale.</p> <p>Examination of Schedule I confirms this is the case.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
	A rationale is provided for the application of section 10.18(2)	True	WRP s. 4.2 Schedule D, s. 6	<p>Text for accreditation at s. 4.2 describes the rationale as conducting the risk assessment and the associated risk assessment outcomes as forming the basis for consideration about the necessity for rules to ensure the EWRs of PEAs and PEFs that depend on groundwater are not compromised by the operation of the proposed WRP.</p> <p>Examination of s. 6 of Schedule D confirms that this information provides a rationale for the application of s. 10.18(2).</p> <p>The Authority is satisfied that the requirement has been met.</p>	
	A rationale is provided for why rules are not necessary	True	WRP s. 4.2 Schedule D, Tables 8-1, 8-3	<p>Text for accreditation at s. 4.2 describes the rationale as conducting the risk assessment and the associated risk assessment outcomes, as forming the basis for consideration of the necessity for rules. The risks outlined in</p>	

10.18 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>Schedule D Table 8-3 were determined to be 'tolerable'. Table 8-1 provides further detail regarding the risk treatment options listed in Table 8-3.</p> <p>Examination of Tables 8-1 and 8-3 of Schedule D confirms that the information provides a rationale for why additional rules are not necessary.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
	A rationale is provided for why rules are not included	True	WRP s. 4.2 Schedule D, Tables 8-1, 8-3	<p>Text for accreditation at s. 4.2 references Schedule D Tables 8-1 and 8-3 for information about risks that cannot be addressed in a manner commensurate with the level of risk.</p> <p>Examination of Tables 8-1 and 8-3 confirms that the information provides a rationale for why rules are not included.</p> <p>The Authority is satisfied that the requirement has been met.</p>	

Section 10.19 – Groundwater and surface water connections

- (1) A water resource plan must be prepared having regard to whether it is necessary for it to include rules which ensure that, for groundwater that has a significant hydrological connection to surface water, the operation of the plan does not compromise the meeting of environmental watering requirements (for example, base flows).
- (2) Without limiting subsection (1), regard must be had to whether it is necessary for the water resource plan to include rules that specify:
 - (a) the times, places and rates at which water is permitted to be taken from a groundwater SDL resource unit; and
 - (b) resource condition limits, being limits beyond which the taking of groundwater will compromise the discharge of water into any surface water resource; and
 - (c) restrictions on the water permitted to be taken (including the times, places and rates at which water may be taken) in order to prevent a resource condition limit from being exceeded.
- (3) If the outcome of the requirement in subsection (1) is that such rules are necessary, the water resource plan must include those rules.

10.19 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP demonstrates that regard was had to the need for rules to ensure that the operation of the WRP does not compromise flows and recharge (environmental watering requirements) between groundwater and surface water including for groundwater HEW and PEW	True	<p>Schedule B</p> <p>WRP ss. 2.2, 4.2, Table 3-1</p> <p>Schedule D, ss. 3.3, 3.3.2, 6, 6.3.3.2, 6.3.3.3</p> <p>Schedule A: NSW Murray Darling Basin Porous Rock Groundwater WSP 2020, cl 4(8)</p>	<p>Schedule B identifies WRP s. 4.2 as addressing the requirements of s. 10.19 of the Basin Plan.</p> <p>Text for accreditation at s. 4.2 specifies the PEAs and PEFs that depend on groundwater, including for hydrologically connected surface water systems, relevant to the WRP area (GDEs and instream ecological values) via the High-Priority GDEs Map, as referenced in cl 4(8) of Schedule A.</p> <p>Text for accreditation at s. 4.2 also states that NSW is developing a process to confirm the probability of groundwater-dependence for high priority GDEs that will be in place by the end of 2022. The confirmation process will</p>	MET

10.19 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>ensure that setback distance rules can be applied to manage risks relevant to this requirement.</p> <p>Text for accreditation states that surface water systems with significant hydrologic connection to the groundwater resources in the WRP area are identified in WRP s. 2.2. Text for accreditation at s. 2.2 refers to s. 3.3 of Schedule D as demonstrating regard for connected water resources.</p> <p>Examination of Schedule D s. 3.3 and particularly s. 3.3.2 confirms that those sections detail the nature of the connections between these water resources.</p> <p>Text for accreditation at s. 4.2 also refers to WRP Table 3-1 and s. 6 of Schedule D to demonstrate that regard has been had to the necessity for rules to manage the risks to GDEs and instream ecological values in the WRP area.</p> <p>Examination of Table 3-1 confirms the risk assessment has had regard to risks relevant to s. 10.19(1).</p> <p>Examination of s. 6 of Schedule D confirms that it sets out the assessment of risks to water available for the environment, as relevant to groundwater-dependent PEAs and PEFs (such</p>	

10.19 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>as GDEs, in-stream ecological values, and other groundwater-dependent PEAs and PEFs). Sections 6.3.3.2 and 6.3.3.3 in particular set out existing rules that are in place to mitigate risks.</p> <p>The proposed WRP has demonstrated that regard has been given to the need for rules for the purpose of s. 10.19 of the Basin Plan through the conduct of the risk assessment and the provision of rules to ensure that the operation of the WRP does not compromise flows and recharge (EWRs) between groundwater and surface water.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
2	Regard was had to the need for rules to specify:				MET
	(a) times, places and rates for permitted take from a groundwater SDL resource unit	True	WRP s. 4.2 Schedule A: NSW Murray Darling Basin Porous Rock Groundwater WSP 2020, Pt 6, Div 1; cls 36, 41, 43(1)(b) to (f), 43(2), 43(3)	The outcome of the assessment for the purpose of s. 10.19(1) above is that the proposed WRP has had regard to the need for rules, and that rules have been included in WRP s. 4.2.	
	(b) limits for groundwater take beyond which the condition of the groundwater resource would compromise the discharge of water into any surface water resource	True	WMA 2000, ss. 100(1)(b)(ii), 97(2), 107(5), 324(1), 324(2)	Text for accreditation at s. 4.2 states that regard has been had to the need for rules to manage the risks to meeting EWRs for GDEs and instream ecological values in the WRP area	

10.19 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	(c) restrictions on permitted take (including times, places and rates of take) that prevents take from exceeding the resource condition limits	True	Access Licence Dealing Principles Order 2004, cl 7(1) Schedule I, Figure I-4, Table I-2	<p>and refers to provisions from State instruments as well as provisions set out in the proposed WRP, as identified in the assessment test relating to s. 10.19(3) below. These provisions operate as rules to ensure that the operation of the Plan does not compromise the meeting of EWRs of GDEs, instream ecological values, and other surface water PEAs and PEFs that may also be dependent on groundwater in the WRP area.</p> <p>Examination of the cited provisions in Schedule A, Schedule I and the WMA 2000 confirms that they include rules of the type required under s. 10.19(2)(a), (b) and (c). Additional details of these rules are provided in the assessment below for s. 10.19(3).</p> <p>The Authority is satisfied that the requirement has been met.</p>	
3	Rules are included	True	<p>WRP s. 4.2</p> <p>Schedule A: NSW Murray Darling Basin Porous Rock Groundwater WSP 2020, Pt 6, Div 1; cls 36, 41, 43(1)(b) to (f), 43(2), 43(3)</p> <p>WMA 2000, ss. 100(1)(b)(ii), 97(2), 107(5), 324(1), 324(2)</p>	<p>The outcome of the requirements for ss. 10.19(1) and (2) of the Basin Plan above is that rules are necessary.</p> <p>Text for accreditation at s. 4.2 incorporates the rules included in Schedule A and the WMA 2000 to ensure that for groundwater that has a significant hydrological connection to surface water, the operation of the plan does not compromise the meeting of EWRs of GDEs,</p>	MET

10.19 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
			<p>Access Licence Dealing Principles Order 2004, cl 7(1)</p> <p>Schedule I, Figure 1-4, Table I-2</p>	<p>instream ecological values, and other surface water PEAs and PEFs that may also be dependent on groundwater in the WRP area.</p> <p>Examination of the cited material shows that:</p> <ul style="list-style-type: none"> • Division 1 of Part 6 of Schedule A sets limits for take to SDLs which ensures the EWRs of PEAs and PEFs are not compromised. These limits are also a general measure for managing significant hydrologic connections over the long term and therefore also contribute to the protection of EWRs for connected resources • cl 36 of Schedule A defines the maximum water account debit to ensure take is within limits and maintains physical presence of water and therefore contribute to the protection of EWRs for connected resources • cls 41, 43(1)(b) to (f), 43(2), 43(3) of Schedule A restrict the location of new or amended works to minimise impacts on GDEs and instream ecological values • s. 100(1)(b)(ii) of the WMA 2000 provides for the NSW Minister to 	

10.19 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>impose conditions relating to the protection of the environment</p> <ul style="list-style-type: none"> ss. 97(2) and 107(5) of the WMA 2000 provide that the NSW Minister for Water may conditionally grant a new or amended water supply work approval if satisfied the approval will result in no more than minimal harm to any water source, or its dependent ecosystems s. 324 (1) and (2) of the WMA 2000 authorises the NSW Minister to prohibit or restrict the taking of water from that aquifer to maintain or protect water levels in an aquifer, maintain pressure, or to ensure pressure recovery, in an aquifer, or to protect groundwater-dependent ecosystems cl 7(1) of the <i>Access Licence Dealing Principles Order 2004</i> ensures that dealings do not adversely affect environmental water and water dependent ecosystems as identified in any relevant management plan. 	

10.19 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>Examination of the cited provisions confirms these instruments contain rules and they operate as described.</p> <p>In relation to the rules that restrict the location of new or amended works, the Authority notes that there have been reductions in some of the resulting setback distances compared with pre-Basin Plan conditions. However, there is also an increase in the area protected by these rules as a result of the improved identification of High Priority GDEs.</p> <p>Further, s. 4.2 also incorporates to Figure I-4 and Table I-2 of Schedule I as detailing the process and criteria for determining the circumstances in which limits on the rate of extraction of groundwater from works would be applied to prevent unacceptable impacts on groundwater-dependent ecosystems and instream ecological values at the local scale.</p> <p>Examination of Schedule I confirms this is the case.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
	A rationale is provided for the application of section 10.19(2)	True	WRP s. 4.2 Schedule D, s. 6	Text for accreditation at s. 4.2 describes the rationale as conducting the risk assessment and the associated outcomes as forming the basis	

10.19 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>for consideration about the necessity for rules to ensure the EWRs of hydrologically connected surface water systems that depend on groundwater are not compromised by the operation of the proposed WRP.</p> <p>Examination of s. 6 of Schedule D confirms that this information provides a rationale for the application of s. 10.19(2).</p> <p>The Authority is satisfied that the requirement has been met.</p>	
	A rationale is provided for why rules are not necessary	True	WRP s. 4.2 Schedule D, Tables 8-1 and 8-3	<p>Text for accreditation at s. 4.2 describes the rationale as conducting the risk assessment and the associated outcomes as forming the basis for consideration about the necessity for rules. The risks outlined in Schedule D Table 8-3 were determined to be 'tolerable'. Table 8-1 provides further detail regarding the risk treatment options listed in Table 8-3.</p> <p>Examination of Tables 8-1 and 8-3 of Schedule D confirms that the information provides a rationale for why rules are not necessary.</p> <p>The Authority is satisfied that the requirement has been met.</p>	

10.19 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	A rationale is provided for why rules are not included	True	WRP s. 4.2 Schedule D, Tables 8-1 and 8-3	Text for accreditation at s. 4.2 references Schedule D Tables 8-1 and 8-3 for information about risk that cannot be addressed in a manner commensurate with the level of risk. Examination of Tables 8-1 and 8-3 confirms that the information provides a rationale for why rules are not included. The Authority is satisfied that the requirement has been met.	

Section 10.20 – Productive base of groundwater

- (1) A water resource plan must be prepared having regard to whether it is necessary for it to include rules which ensure that the operation of the plan does not compromise:
 - (a) the overall structural integrity of the aquifer (whether within or outside the water resource plan area) arising from take within the long-term annual diversion limit for an SDL resource unit; or
 - (b) the overall hydraulic relationships and properties between groundwater and surface water systems, between groundwater systems, and within groundwater systems.
- (2) Without limiting subsection (1), regard must be had to whether it is necessary for the water resource plan to include rules that specify:
 - (a) the times, places and rates at which water is permitted to be taken from a groundwater SDL resource unit; and
 - (b) any zones in the water resource plan area where continued groundwater extraction will result in a long-term decline in groundwater levels; and
 - (c) measures to prevent any long-term decline in groundwater levels in that zone, except where the groundwater is a non-renewable groundwater resource; and
 - (d) for a non-renewable groundwater resource—the planned rate of decline in groundwater levels and the anticipated groundwater levels after 50 years from the commencement of the water resource plan; and
 - (e) resource condition limits, being limits beyond which the taking of groundwater from the SDL resource unit will compromise the objectives in paragraphs (1)(a) and (b); and
 - (f) restrictions on the water permitted to be taken (including the times, places and rates at which water may be taken) in order to prevent a resource condition limit from being exceeded.
- (3) If the outcome of the requirement in subsection (1) is that such rules are necessary, the water resource plan must include those rules.

10.20 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP demonstrates that regard was had to the need for rules to ensure that the operation of the plan does not compromise:				MET
	(a) the overall structural integrity of the aquifer	True	Schedule B		

10.20 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	(whether within or outside the water resource plan area) arising from take within the long-term annual diversion limit for an SDL resource unit, <i>or</i>		WRP s. 4.3, Table 3-1 Schedule D ss. 3.3.1- 3.3.2, 4.3-4.3.1 and 4.3.2, 4.4-4.4.1 and 4.4.2, 4.6- 4.6.1, 4.7- 4.7.1	<p>Schedule B identifies WRP s. 4.3 as addressing the requirements of s. 10.20 of the Basin Plan.</p> <p>Text for accreditation at s. 4.3 states that regard has been had to the necessity for rules to manage risks to:</p> <ul style="list-style-type: none"> the structural integrity of the aquifers in the WRP area hydraulic relationship between groundwater and surface water systems, between groundwater systems, and within groundwater systems. <p>Text for accreditation at s. 4.3 refers to WRP Table 3-1 and the cited sections of Schedule D as evidence of this consideration.</p> <p>Examination of the cited sections of Schedule D confirms it describes the risks to the structural integrity of the aquifer systems in the WRP area and hydraulic relationship between groundwater and surface water systems, between groundwater systems, and within groundwater systems.</p> <p>Examination of Table 3-1 confirms it summarises overall risk assessment outcomes for the WRP area, including those relating to structural integrity and hydraulic relationships and properties. It is noted</p>	
	(b) the overall hydraulic relationships and properties between groundwater and surface water systems, between groundwater systems, and within groundwater systems	True			

10.20 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				that the ratings for the relevant risks range from the 'nil' to 'medium' category. The Authority is satisfied that the requirement has been met.	
2	Regard was had to the need for rules to specify:				MET
	(a) times, places and rates for permitted take from a groundwater SDL resource unit	True	WRP s. 4.3 Schedule A: NSW Murray Darling Basin Porous Rock Groundwater Sources 2020, Pt 6, Div 1; cls 36, 39, 41(1)(a), 58(1) WMA 2000, ss. 100(1)(b)(ii), 97(2), 107(5), 324(1), (2) Access Licence Dealing Principles Order 2004, cl 7(1) Schedule I, Figure I-4, Table I-2	The outcome of the assessment for the purpose of s. 10.20(1) above is that rules are necessary. Text for accreditation at WRP s. 4.3 states that regard has been had to the need for rules to ensure that the operation of the plan does not compromise overall structural integrity of the aquifers and overall hydraulic relationship in the WRP area and refers to provisions from State instruments and set out in the proposed WRP, as identified in the assessment test relating to s. 10.20(3) below. Examination of the cited rules confirms that they include rules of the type relevant to ss. 10.20(2) (a), (b), (c), (e) and (f). Additional details of these rules are provided in the assessment below for s. 10.20(3).	
	(b) zones where extraction will result in long-term decline in groundwater levels	True			
	(c) measures to prevent long-term decline in groundwater levels in the zone, but with the exception provided in letter (d)	True			
	(d) non-renewable groundwater resources that has a planned rate of decline in groundwater levels after 50 years (of the commencement of the WRP)	Test turned off			

10.20 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	(e) limits for groundwater take beyond which the condition of the groundwater resource (resource condition limits) would compromise the objectives in subsection (1)	True		For the purpose of s. 10.20(2)(d) of the Basin Plan, text for accreditation at s. 4.3 states that there are no non-renewable groundwater resources in the WRP area. Therefore, the assessment test in s. 10.20(2)(d) is not applicable and has been turned off.	
	(f) restrictions on permitted take in order to prevent exceedance of resource condition limit	True		The Authority is satisfied that the requirement has been met.	
3	Rules are included	True	<p>WRP s. 4.3</p> <p>Schedule A: NSW Murray Darling Basin Porous Rock Groundwater Sources 2020, Pt 6, Div 1; cls 36, 39, 41(1)(a), 58(1)</p> <p>WMA 2000, ss. 100(1)(b)(ii), 97(2), 107(5), 324(1), (2)</p> <p>Access Licence Dealing Principles Order 2004, cl 7(1)</p> <p>Schedule I, Figure I-4, Table I-2</p>	<p>The outcome of the assessment for the purpose of ss. 10.20(1) and (2) above is that rules are necessary.</p> <p>Text for accreditation at WRP s. 4.3 incorporates the cited rules in Schedule A and the WMA 2000 to ensure the WRP does not compromise overall structural integrity of the aquifers and overall hydraulic relationship in the WRP area.</p> <p>Examination of the cited material shows that:</p> <ul style="list-style-type: none"> Division 1 of Part 6 of Schedule A sets limits for take to SDLs which is a general measure for managing significant hydrologic connections over the long term and also contribute to the protection of the overall hydraulic relationships and properties between groundwater and surface water 	MET

10.20 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>systems, between groundwater systems, and within groundwater systems</p> <ul style="list-style-type: none"> • cl 36 of Schedule A defines the maximum water account debit to ensure take is within limits and maintains physical presence of water and therefore contributes to maintain the overall structural integrity of the aquifer • cls 39 and 41(1)(a) of Schedule A restrict the location of new or amended works to manage interference between works and near the high bank of a river • cl 58(1) provides mandatory conditions for the construction of water supply works in the WRP area. These mandatory conditions may mitigate risks to hydraulic relationships and properties in the immediate vicinity of the work • s. 100(1)(b)(ii) of the WMA 2000 provides for the NSW Minister to impose conditions relating to the protection of the environment • ss. 97(2) and 107(5) of the WMA 2000 provide that the NSW Minister may conditionally grant a new or amended water supply work approval if satisfied the 	

10.20 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>approval will result in no more than minimal harm will be done to any water source</p> <ul style="list-style-type: none"> ss. 324 (1) and (2) of the WMA 2000 authorises the NSW Minister to prohibit or restrict the taking of water from that aquifer to maintain or protect water levels in an aquifer, maintain pressure, or to ensure pressure recovery, in an aquifer, or to protect groundwater-dependent ecosystems cl 7(1) of the <i>Access Licence Dealing Principles Order 2004</i> ensures that dealings do not adversely affect environmental water and water dependent ecosystems as identified in any relevant management plan. <p>Examination of the cited provisions of the cited provisions confirm these instruments contain rules and they operate as described.</p> <p>Section 4.3 also refers to Figure I-4 and Table I-2 of Schedule I as detailing the process and criteria for determining the circumstances in which limits on the rate of extraction of groundwater from works would be applied to prevent unacceptable impacts on water levels or pressures at the local scale.</p> <p>Examination of Schedule I confirms this is the case.</p>	

10.20 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				The Authority is satisfied that the requirement has been met.	
	A rationale is provided for the application of section 10.20(2)	True	WRP s 4.3 Schedule D, ss. 3.3.1, 3.3.2, 4.3, 4.3.1, 4.3.2, 4.4, 4.4.1, 4.4.2, 4.6, 4.6.1, 4.7, 4.7.1	Text for accreditation at s. 4.3 describes the rationale as conducting the risk assessment and the associated outcomes to the effect that Schedule D form the basis for consideration about the necessity for rules to ensure that structural integrity and hydraulic relationship are not compromised by the operation of the proposed WRP. Examination of the cited provisions of Schedule D confirms that this information provides a rationale for the application of s. 10.20(2). The Authority is satisfied that this requirement has been met.	
	A rationale is provided for why rules are not necessary	True	WRP s. 4.3 Schedule D, Tables 8-1 and 8-3	Text for accreditation at s. 4.3 describes the rationale as conducting the risk assessment and the associated outcomes as forming the basis for consideration about the necessity for rules. The risks outlined in Schedule D Table 8-3 were determined to be 'tolerable'. Table 8-1 provides further detail regarding the risk treatment options listed in Table 8-3.	

10.20 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>Examination of Tables 8-1 and 8-3 confirms that the information provides a rationale for why rules are not necessary.</p> <p>The Authority is satisfied that this requirement has been met.</p>	
	A rationale is provided for why rules are not included	True	WRP s. 4.3 Schedule D, Tables 8-1, 8-3	<p>Text for accreditation at s. 4.3 references Tables 8-1 and 8-3 of Schedule D for information about risks that cannot be addressed in a manner commensurate with the level of risk.</p> <p>Examination of Tables 8-1 and 8-3 confirms that the information provides a rationale for why rules are not included.</p> <p>The Authority is satisfied that the requirement has been met.</p>	

Section 10.21 – Additional requirements for Western Porous Rock, Gunnedah-Oxley Basin MDB, Sydney Basin MDB and Goulburn-Murray: Sedimentary Plain SDL resource units

(1) A water resource plan for the NSW Murray-Darling Basin Porous Rock water resource plan area must, in relation to the Western Porous Rock, Gunnedah-Oxley Basin MDB and Sydney Basin MDB SDL resource units, include rules that are designed to ensure that the objectives set out in the following provisions are met:

- (a) section 10.18;
- (b) section 10.19;
- (c) section 10.20.

(2) A water resource plan for the Goulburn-Murray water resource plan area must, in relation to the Goulburn-Murray: Sedimentary Plain SDL resource unit, include rules that are designed to ensure that the objective set out in section 10.20 is met.

Note: The objectives set out in the provisions referred to are the following:

- (a) in section 10.18—that for priority environmental assets and priority ecosystem functions that depend on groundwater, the operation of the plan does not compromise the meeting of environmental watering requirements;
- (b) in section 10.19—that for groundwater that has a significant hydrological connection to surface water, the operation of the plan does not compromise the meeting of environmental watering requirements;
- (c) in section 10.20—that the operation of the plan does not compromise:
 - (i) the overall structural integrity of the aquifer (whether within or outside the water resource plan area) arising from take within the long-term annual diversion limit for an SDL resource unit; or
 - (ii) the overall hydraulic relationships and properties between groundwater and surface water systems, between groundwater systems, and within groundwater systems.

10.21 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome	
1	The applicable area for the WRP is the NSW Murray-Darling Porous Rock	True	Schedule B WRP ss. 4.2, 4.3	<p>Schedule B refers to WRP ss. 4.2 and 4.3 as addressing s. 10.21 of the Basin Plan.</p> <p>Schedule B also refers to the sections relating to ss. 10.18, 10.19 and 10.20 of the Basin Plan. These matters are considered further in the assessments below.</p> <p>Examination of ss. 1.6 and 1.8 confirm that these sections of the proposed WRP include information relating to the future reviews of the effectiveness of rules included to achieve the objectives of s. 10.21. These matters are considered further in the assessment for s. 10.47A of the Basin Plan.</p> <p>Assessment of requirements for the purpose of s. 10.02 of the Basin Plan has confirmed that, the proposed WRP contain SDL resource units referred to in s. 10.21 of the Basin Plan.</p> <p>The Authority is satisfied that this requirement has been met.</p>	MET	
	If ‘yes’ apply the following for the Western Porous Rock, Gunnedah-Oxley Basin MDB and Sydney Basin MDB SDL resource units:					
	The WRP includes rules to ensure that the objectives are met as follows:					
	(a) in section 10.18—that for priority environmental assets and priority ecosystem functions that	True	WRP s. 4.2 Schedule D, s. 6	Schedule B refers to WRP s. 4.2 as addressing ss. 10.18 and 10.21 of the Basin Plan.		

10.21 subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
	depend on groundwater, the operation of the plan does not compromise ability to meet environmental watering requirements		<p>The requirement for s. 10.21 is that rules must be included that are designed to meet the objectives of s. 10.18.</p> <p>Text for accreditation at s. 4.2 identifies s. 6 of the Schedule D as considering risks relevant to the objectives of s. 10.18.</p> <p>Assessment of the material provided to address s. 10.18 of the Basin Plan has found that the rules identified in s. 4.2 are informed by the consideration of relevant risks and are included for the purpose of ensuring that for priority environmental assets and priority ecosystem functions that depend on groundwater, the operation of the proposed WRP does not compromise ability to meet environmental watering requirements.</p> <p>The proposed WRP demonstrates that rules are included that are designed to meet the objectives of s. 10.18 of the Basin Plan.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
	(b) in section 10.19—that for groundwater that has a significant hydrological connection to surface water, the operation of the plan does not compromise the ability to	True	<p>WRP ss. 2.2, 4.2</p> <p>Schedule D, s. 6</p> <p>Schedule B refers to WRP s. 4.2 as addressing ss. 10.19 and 10.21 of the Basin Plan.</p> <p>The requirement for s. 10.21 is that rules must be included that are designed to meet the objectives of s. 10.19.</p>	

10.21 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	meet environmental watering requirements			<p>Text for accreditation at s. 4.2:</p> <ul style="list-style-type: none"> identifies s. 6 of the Schedule D as considering risks relevant to the objectives of s. 10.19 states that WRP s 2.2 identifies surface water systems with a significant hydrological connection to the groundwater sources of the WRP area. <p>Assessment of the material provided to address s. 10.19 of the Basin Plan has found that the rules identified in s. 4.2 are informed by the consideration of relevant risks and are included for the purpose of ensuring that, for groundwater that has a significant hydrological connection to surface water, the operation of the plan does not compromise the ability to meet environmental watering requirements.</p> <p>The proposed WRP demonstrates that rules are included that are designed to meet the objectives of s. 10.19 of the Basin Plan.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
	(c) in section 10.20—that the operation of the plan does not compromise:				

10.21 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	(i) the overall structural integrity of the aquifer (whether within or outside the water resource plan area) arising from take within the long-term annual diversion limit for an SDL resource unit; or	True	WRP ss. 4.2, 4.3 Schedule D, ss. 3.3.1-3.3.2, 4.3, 4.4-4.4.1 and 4.4.2, 4.6-4.6.1, 4.7 4.7.1	<p>Schedule B refers to WRP ss. 4.2 and 4.3 as addressing ss. 10.20 and 10.21 of the Basin Plan.</p> <p>The requirement for s. 10.21 is that rules must be included that are designed to meet the objectives of s. 10.20.</p> <p>Text for accreditation at s. 4.2 identifies the cited sections of Schedule D as considering risks relevant to the objectives of s. 10.20.</p> <p>Assessment of the material provided to address s. 10.20 of the Basin Plan has found that the rules identified in s. 4.2 are informed by the consideration of relevant risks and are included for the purpose of ensuring that the operation of the plan does not compromise the matters specified in s. 10.20.</p> <p>The proposed WRP demonstrates that rules are included that are designed to meet the objectives of s. 10.20 of the Basin Plan.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
	(ii) the overall hydraulic relationships and properties between groundwater and surface water systems, between groundwater systems, and within groundwater systems.	True			
2	The applicable area for the WRP is the Goulburn-Murray	True	Not applicable	Assessment of requirements for the purpose of s. 10.02 of the Basin Plan has confirmed that, the proposed WRP area is the Murray–Darling Basin Porous Rock WRP area and does not comprise the Goulburn-Murray WRP area.	Not applicable

10.21 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				Therefore, the requirement is not required to be addressed in this WRP.	
	If ‘yes’ apply the following for the Goulburn-Murray: Sedimentary Plain SDL resource unit:				
	The WRP includes rules to ensure that the objectives in section 10.20—that the operation of the plan does not compromise:				
	(i) the overall structural integrity of the aquifer (whether within or outside the water resource plan area) arising from take within the long-term annual diversion limit for an SDL resource unit; or	Test turned off	Not applicable	Not applicable	
	(ii) the overall hydraulic relationships and properties between groundwater and surface water systems, between groundwater systems, and within groundwater systems.	Test turned off	Not applicable	Not applicable	

Section 10.22 – Description of how requirements have been met

A water resource plan must:

- (a) describe what was done to comply with the requirements in this Part; and
- (b) if a risk of a kind referred to in subsection 10.41(1) has been identified in relation to the water resources of the water resource plan area—explain why rules addressing the risk have or have not been included in the plan.

10.22 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
(a)	The WRP describes what was done to comply with the requirements in sections 10.17 to 10.21	True	Schedule B WRP ss. 4.2, 4.3 Schedule D	<p>Schedule B refers to WRP ss. 4.2 and 4.3 and Schedule D as addressing the requirements of s. 10.22 of the Basin Plan.</p> <p>Examination of text for accreditation at ss. 4.2 and 4.3 confirms that it describes what was done to comply with ss. 10.17 – 10.21 of the Basin Plan. Sections 4.2 and 4.3 each describe how the risk assessment in Schedule D has informed the need for rules for ss. 10.17-10.21.</p> <p>The Authority is satisfied that the requirement has been met.</p>	MET
(b)	The WRP explains why rules have (or have not) been included in the WRP to address risks identified in s 10.41(1)	True	WRP ss. 4.2, 4.3 Schedule D, Tables 8-1, 8-3	<p>Text for accreditation at ss. 4.2 and 4.3 sets out how regard for the need for rules was given and provides rules for accreditation. Text for accreditation at these two WRP sections also states that Tables 8-1 and 8-3 of Schedule D explain why a risk is tolerable or cannot be addressed by the water resource plan in a manner commensurate with the level of risk.</p> <p>Examination of the cited Tables confirms that appropriate explanation has been included on why a risk is tolerable or why rules have or not have been included to address risks identified in s. 10.41(1).</p>	

10.22 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				The Authority is satisfied that the requirement has been met.	

Part 5 Interception activities

Section 10.23 – Listing types of interception activity

1. A water resource plan must, having regard to the risk identification and assessment conducted for section 10.41, specify whether there are any types of interception activity in the water resource plan area which have the potential to have a significant impact on:
 - a. the water resources of the water resource plan area; or
 - b. water resources which are hydrologically connected to the water resources of the water resource plan area;whether on an activity-by-activity basis, or cumulatively.
2. If there are any such types of interception activity, the water resource plan must list those types.
3. For the purpose of determining whether a type of interception activity is of the kind referred to in subsection (1), regard must be had to the following factors:
 - a. the location of particular activities of that type in the water resource plan area;
 - b. the impact of the type of activity on the availability of:
 - i. the water resources of the water resource plan area; and
 - ii. any water resources which are hydrologically connected to the water resources of the water resource plan area;
 - c. the projected growth of the type of activity over the period for which the water resource plan will have effect.

Note: The following are types of interception activity which may have the potential to have a significant impact on the water resources of a water resource plan area:

interception by runoff dams;

interception by commercial plantations;

interception by mining activities, including coal seam gas mining;

interception by floodplain harvesting.

10.23 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	Interception activities with the potential to have significant impacts within the WRP area and on any hydrologically connected water resources of the WRP area, have been identified	True	Schedule B WRP s. 5.6 Schedule D, ss. 5.7, 5.8, 6.4, 6.8	Schedule B refers to WRP s. 5.6 as addressing s. 10.23 of the Basin Plan. Text for accreditation in s. 5.6 refers to Schedule D ss. 5.7, 5.8, 6.4 and 6.8, and states that no types of interception activity were found to have the potential to cause significant impact on water resources.	MET
	Regard was had to the risks identified and assessed under Part 9, s. 10.41	True		Examination of the cited sections of Schedule D confirms they identify and provide an assessment of the risks from potential increases in commercial plantations and mining on water available for extraction and available for the environment, and conclude the risk is 'nil' or 'low'. The risks are not considered to have the potential for significant impacts on the water resources of the WRP area, or on hydrologically connected water resources. The Authority is satisfied that the requirement has been met.	
2	A list of interception activities which have the potential to have a significant impact as set out in (1) is provided	Absent		This assessment has confirmed that there are no interception risks which have the potential to have a significant impact as set out at s. 10.23(1). Consequently, a list of such interception activities is not required. Therefore, this requirement is not applicable.	Not applicable

10.23 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
3	Each of the activities listed for s10.23(1) demonstrates regard as follows:		As indicated for the assessment tests for s. 10.23(1) above	This assessment has confirmed that no risks are required to be listed for the purpose of s. 10.23(1) of the Basin Plan. Therefore, this requirement is not applicable.	Not applicable
	(a) The location of each type of interception activity was considered	Test turned off			
	(b) The impact of each interception type of activity on water availability was considered	Test turned off			
	(c) The projected growth for each type of interception activity over the operational period of the WRP was considered	Test turned off			

Section 10.24 – Monitoring impact of interception activities

If a water resource plan includes a list of the kind referred to in subsection 10.23(2), the plan must set out, in respect of each type of interception activity listed, a process for monitoring the impact of that type of activity on:

the water resources of the water resource plan area; and

water resources which are hydrologically connected to the water resources of the water resource plan area.

10.24 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	Processes for monitoring impacts of each type of interception activity listed for s. 10.23(2) are set out	False	Schedule B WRP s. 5.6	<p>Schedule B refers to WRP s. 5.6 as addressing s. 10.24 of the Basin Plan.</p> <p>Text for accreditation at s. 5.6 states that s. 10.24 is not applicable because no types of interception activity were found to have the potential to cause significant impact on water resources.</p> <p>This assessment has confirmed that there are no interception activities with the potential to have a significant impact. Consequently, monitoring of impacts for the purpose of s. 10.24 of the Basin Plan is not required.</p> <p>Therefore, this requirement is not applicable.</p>	Not applicable
	The monitoring captures the impacts of the interception activities on water resources in the WRP area	False			
	The monitoring captures the impacts of the interception activities on water resources hydrologically connected to the WRP area	False			
	The processes for monitoring are capable of triggering action under s. 10.25	False			

Section 10.25 – Actions to be taken

- 1) A water resource plan must identify actions that will be taken in the event that monitoring under section 10.24 shows that:
 - a) an impact of a type of interception activity compromises the meeting of an environmental watering requirement; or
 - b) an impact of several types of activity together compromises the meeting of an environmental watering requirement; or
 - c) there is an increase in the quantity of water being intercepted by a type of activity; after the commencement of the water resource plan.
- 2) Subsection (1) does not apply if the relevant outcome in paragraph (1)(a), (b) or (c) is accounted for by the method under subsection 10.10(1).

Note 1: This section provides a mechanism to address unanticipated effects of, or changes in, interception activity.

Note 2: Section 10.13 sets out the circumstances in which a water resource plan may allow for an increase in anticipated take by an interception activity.

10.25 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	Actions that will be taken in response to impacts described in letters (a) - (c) are identified	Absent	Schedule B WRP s. 5.6	<p>Schedule B refers to WRP s. 5.6 as addressing s. 10.25 of the Basin Plan.</p> <p>Text for accreditation at s. 5.6 states that s. 10.25 is not applicable because no types of interception activity were found to have the potential to cause significant impact on water resources.</p> <p>This assessment has confirmed that no monitoring under s. 10.24 of the Basin Plan is required. Consequently, actions to be taken are not required.</p>	Not applicable
	Actions that will be taken when monitoring shows that the impact of a type of interception activity compromises the meeting of an environmental watering requirement have been identified	Test turned off			

10.25 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	Actions that will be taken when monitoring shows that the impact of several types of interception activity compromises the meeting of an environmental watering requirement have been identified	Test turned off		Therefore, this requirement is not applicable.	
	Actions that will be taken when monitoring shows there is an increase in the quantity of water being intercepted by an activity have been identified	Test turned off			
	A trigger for a responsible party to take action if monitoring shows impacts (as described in letters (a) - (c), is identified	Test turned off			

10.25 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	The trigger has effect for the operational period of the WRP	Test turned off			
2	The method under s10.10(1) will account for interception activities that have the types of impacts specified in s. 10.25(1)(a)-(c)	Test turned off			Not applicable
	Subsection 1 provides for action	Test turned off			

Part 6 Planning for environmental watering

Section 10.26 – Planning for environmental watering

- (1) A water resource plan must provide for environmental watering to occur in a way that:
- (a) is consistent with:
 - (i) the environmental watering plan; and
 - (ii) the Basin-wide environmental watering strategy; and
 - (b) contributes to the achievement of the objectives in Part 2 of Chapter 8.
- (2) For the purposes of subsection (1), the water resource plan must be prepared having regard to:
- (a) the most recent version of the long-term watering plan prepared in accordance with the requirements of Division 3 of Part 4 of Chapter 8; and
 - (b) the views of local communities, including bodies established by a Basin State that express community views in relation to environmental watering.

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP provides for environmental watering that:				MET
	is consistent with the EWP and BWS	True	Schedule B WRP ss. 1.7, 4.2 Schedule D, s. 6 (including ss. 6.1.1, 6.2.1-6.2.2), Table 6-2 Draft LTWPs 2018 – 2019 Final LTWPs 2019	Schedule B refers to WRP ss. 1.7 and 4.2 as addressing s. 10.26 of the Basin Plan. Text for accreditation in s. 1.7 relates to s. 10.26(2)(b) and is discussed in the relevant assessment test below. Text for accreditation at s. 4.2 refers to sections 6.1.1, 6.2.1 – 6.2.2 and Table 6-2 of Schedule D as demonstrating that the draft LTWPs referenced for Schedule D provides for the surface water requirements of groundwater dependent PEAs and PEFs. Examination of the cited material confirms that Schedule D has considered the risks to PEAs and PEFs that are either	

Sub-section	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>solely dependent on groundwater or are surface water PEAs and PEFs with a groundwater component (e.g. instream ecological values).</p> <p>This is also consistent with the relevant draft LTWPs 2018 and the final versions of the LTWPs 2019 (as submitted to the MDBA in December 2019, as discussed further in the test for s. 10.26(2)(a)) which provides for environmental watering that relates to the surface water component of the environmental watering requirements of groundwater dependent priority environmental assets and ecosystem functions in the WRP area. It is also consistent with both the BWS 2014 and the BWS 2019 (as discussed below) which includes only environmental outcomes for surface-water.</p> <p>Further, the cited sections of Schedule D, including Table 6-2, describe the relationship between the identification and assessment of risks and the environmental watering plan (Chapter 8 of the Basin Plan), as well as between GDEs and the EWRs identified in the draft LTWPs 2018.</p> <p>The Authority is satisfied that, in the context of groundwater management, the proposed WRP provides for environmental watering consistently with the EWP (contained in Chapter 8 of the Basin Plan).</p> <p>Note: Basin-wide Environmental Watering Strategy</p> <p>It is noted that the proposed WRP has been prepared with reference to the 2014 Basin-wide Environmental Watering Strategy (BWS 2014). The BWS 2014 is nominated as the relevant version for the proposed WRP as it was the version</p>	

Sub-section	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>in place at the time NSW consulted communities on the proposed WRP.</p> <p>The Authority has undertaken a comparison of the BWS 2014, and the most recent version of the Basin-wide Environmental Watering Strategy published in November 2019 (BWS 2019) and can confirm there are no material differences. The BWS 2019 includes a section on “vertical connectivity” between rivers, creeks and wetlands with groundwater and explicitly clarifies that groundwater resources are not currently included.</p> <p>Therefore, the proposed WRP provides for environmental watering consistently with the most recent version of the Basin-wide Environmental Watering Strategy.</p>	
	contributes to the overall environmental objectives for water-dependent ecosystems in Part 2 of Chapter 8	True	<p>Refer to material observed for the purposes of assessment of Parts 3 and 4 of Chapter 10 of the Basin Plan</p> <p>Draft LTWPs 2018 – 2019</p> <p>Provisions included in the proposed WRP to address the requirements of Parts 3 and 4 of Chapter 10 of the Basin Plan operate to prevent detrimental impacts to environmental watering requirements and enable the proposed WRP to contribute to the overall environmental objectives for water dependent ecosystems. Furthermore, provisions included in the proposed WRP to address Part 9 of Chapter 10 of the Basin Plan describes the relationship between the identification and assessment of risks and Chapter 8 of the Basin Plan, as well as between groundwater dependent ecosystems (and the environmental watering requirements identified in the draft LTWPs 2018 – 2019).</p> <p>The Authority is satisfied that the requirement has been met.</p>	

Sub-section	Summary of assessment test	Where this was observed in the WRP package		Justification	Assessment outcome
2	Regard was had in the preparation in the WRP to the matters in letters (a) and (b):	Present	See observations below for Parts (a) and (b)	<p>Section 8.18 of the Basin Plan states that:</p> <p>A Basin State must prepare a long-term environmental watering plan for each water resource plan area that contains surface water.</p> <p>Assessment of text for accreditation against Part 2 of Chapter 10 of the Basin Plan has confirmed that the proposed WRP applies only to the groundwater resources and SDL resource units of the WRP area.</p>	MET
	(a) the most recent version of the LTWP	True	<p>Schedule B</p> <p>WRP ss. 1.7, 4.2</p> <p>Schedule D; ss. 6.1.1, 6.2.1 - 6.2.2, Table 6-2</p> <p>Draft LTWPs 2018 – 2019</p> <p>Final LTWPs 2019</p>	<p>Schedule B refers to WRP ss. 1.7, 4.2 and Schedule D as addressing s. 10.26 of the Basin Plan.</p> <p>Text for accreditation in s. 1.7 relates to s. 10.26(2)(b) and is discussed in the relevant assessment test below.</p> <p>Text for accreditation at s. 4.2 refers to ss. 6.1.1, 6.2.1 - 6.2.2 and Table 6-2 of Schedule D as demonstrating that the LTWPs provide for the surface water requirements of groundwater dependant priority environmental assets and ecosystems, and that regard was had to the most recent versions of those plans.</p> <p>Examination of the cited material confirms that Schedule D, s. 6.1.1 sets out the context for environmental watering in the groundwater WRP area and the links between: the risk to the capacity of meeting EWRs, the role of NSW LTWPs and Chapter 8 of the Basin Plan.</p> <p>Examination of the cited material confirms that Table 6-2 of Schedule D sets out links between EWRs and related</p>	

Sub-section	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>groundwater dependent ecosystem types. The list of references in Schedule D indicates the versions of the LTWPs considered for Table 6-2 were the:</p> <ul style="list-style-type: none"> • Gwydir LTWP Parts A and B draft for exhibition (OEH, 2018a) • Macquarie-Castlereagh LTWP Parts A and B draft for exhibition (OEH, 2018b) • NSW Border Rivers LTWP Parts A and B draft for exhibition (OEH, 2018c) • Murrumbidgee LTWP Parts A and B draft for exhibition (OEH, 2019) • Namoi LTWP Parts A and B draft for exhibition (NSW DPIE, 2019d) • NSW Murray and Lower Darling LTWP Parts A and B draft for exhibition (NSW DPIE, 2019e) <p>The Authority considers the application of the relevant draft LTWPs for this purpose to be appropriate as these were the versions in place at the time of undertaking public consultation on the proposed WRP, and particularly in the context of the preparation of the Schedule D.</p> <p>The Authority has also undertaken a comparison of the relevant draft LTWPs and final LTWPs published in 2019 – 2022 and can confirm there are no material differences relevant to the proposed WRP.</p>	

Sub-section	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			The Authority is satisfied that the requirement has been met.	
	(b) the views of local communities in relation to environmental watering	True	WRP s. 1.7 Schedule C Text for accreditation in s. 1.7 relates to s. 10.26(2)(b) and refers to Schedule C. Examination of the cited material confirms that it describes the consultation undertaken in the preparation of the proposed WRP, including in relation to environmental watering in the context of groundwater management. The Authority is satisfied that the requirement has been met.	

Section 10.27 – Enabling environmental water between connected water resources

(1) This section applies if:

- (a) there are 2 water resource plan areas that contain surface water; and
- (b) there is a surface water connection between the 2 areas.

(2) The water resource plan for each of the areas must provide for the co-ordination of environmental watering between the 2 areas.

10.27 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	In the WRP area, there is a surface water connection to surface water resources in other WRP areas	False	Schedule B	<p>Schedule B states that this requirement applies to WRPs that contain surface water and is therefore out of scope for the proposed groundwater WRP to address.</p> <p>Assessment of text for accreditation to meet Part 2 of Chapter 10 of the Basin Plan has confirmed that the proposed WRP applies only to the groundwater resources and SDL resource units of the WRP area.</p> <p>Therefore, the requirements of s. 10.27(1) and (2) are not applicable.</p>	Not applicable
2	Arrangements for coordinating environmental watering are included in the WRP	Absent			
	The provision makes the case for why arrangements to coordinate environmental watering is not included in the WRP	Test turned off			

Section 10.28 – No net reduction in the protection of planned environmental water

A water resource plan must ensure that there is no net reduction in the protection of planned environmental water from the protection provided for under State water management law immediately before the commencement of the Basin Plan.

Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
<p>There have been changes to rules that protect PEW compared to those in place under State water management law on 23/11/2012</p> <p>The changes to PEW rules have not caused a net reduction in the protection of PEW compared to the protection under State water management law on 23/11/2012</p>	True	Schedule B	Schedule B refers to WRP s. 4.1.2 as addressing s. 10.28 of the Basin Plan.	MET
	True	<p>WRP ss. 4.1.1, 4.1.2</p> <p>Schedule A: Murray-Darling Basin Porous Rock WSP 2020; cls 16, 17; Pt 6, Div 1; Pt 8</p>	<p>Supporting information in s. 4.1.1 explains how PEW has been identified by NSW in the WRP area and the rules and arrangements relating to PEW. The supporting information in s. 4.1.2 outlines changes to these rules that have been made since the commencement of the Basin Plan, and explains how these changes do not result in a net reduction in the protection of PEW.</p> <p>Text for accreditation at s. 4.1.2 indicates that the definition of PEW in Schedule A has been changed and that cls 16 and 17 no longer commit PEW by reference to the physical presence of water. Instead, the WSP maintains the physical presence through the provisions in Division 1 of Part 6 and Part 8 of Schedule A.</p> <p>The MDBA has reviewed the state water management law that was in effect on 23 November 2012 and carried out an assessment against the rules and arrangements that have been identified for the purposes of s. 10.09(1).</p> <p>The <i>Planned environmental water: Assessment of no net reduction (s10.28) in the level of protection</i> report attached to this assessment describes the MDBA's assessment of the changes to the PEW protection arrangements in accordance with the requirements set</p>	

			<p>out in s. 10.28 of the Basin Plan. The assessment examines how PEW was protected under the arrangements that existed in NSW law immediately prior to the commencement of the Basin Plan and determines whether any subsequent changes incorporated into the proposed WRP have resulted in a net reduction in the protection of PEW.</p> <p>The assessment is structured around a three-part test:</p> <ul style="list-style-type: none"> • What are the changes to the level of legal protection of PEW and does the net effect of the changes in the WRP at least maintain the level of legal protection? • Is the long-term average volume of PEW maintained? • Is the net effect of the new rules at least as effective at meeting the original outcomes? <p>The assessment is based on information contained in the proposed WRP package to determine if there has been a net reduction in the protection of PEW.</p> <p>Appendix A of the <i>Planned environmental water: Assessment of no net reduction (s10.28) in the level of protection</i> report attached provides further detail and a textual comparison of provisions that have changed.</p> <p>On the basis of the MDBA's assessment and the material provided by NSW, the Authority has determined that the proposed WRP ensures that there is no net reduction in the protection of PEW.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
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Part 7 Water quality objectives

Section 10.29 – Water resource plan to include WQM Plan

A water resource plan must include a water quality management plan (WQM Plan). The WQM Plan must:

- (a) for water resource plan areas made up of only surface water SDL resource units—be made in accordance with Division 2;
- (b) for water resource plan areas made up of only groundwater SDL resource units—be made in accordance with Division 3;
- (c) for water resource plan areas made up of both surface water SDL resource units and groundwater SDL resource units—be made in accordance with:
 - (i) Division 2 in relation to surface water SDL resource units (as if a reference in Division 2 to the water resource plan area were a reference to the surface water SDL resource units of the water resource plan area); and
 - (ii) Division 3 in relation to groundwater SDL resource units (as if a reference in Division 3 to the water resource plan area were a reference to the groundwater SDL resource units of the water resource plan area).

Summary of Assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
A WQMP is included in the WRP	True	Schedule B WRP s. 6 Schedule F	Schedule B refers to WRP s. 6 and Schedule F as addressing the requirements s. 10.29 of the Basin Plan. Examination of text for accreditation at s. 6 confirms that it states that the WQMP for the WRP area is attached at Schedule F. Further examination confirms that Schedule F is titled the 'NSW Murray—Darling Basin Porous Rock Water – Water Quality Management Plan'. The Authority is satisfied that the requirements have been met.	MET

Summary of Assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
The WQMP applies the relevant type(s) of SDL resource unit(s) as set out in letters (a), (b) or (c)	True	WRP s. 6 Supporting information at Schedule F, s. 1.3 and Figure 1	<p>Text for accreditation at s. 6 states the NSW Murray—Darling Basin Porous Rock WRP area is made up of only groundwater SDL resource units as set out at s. 3.06 of the Basin Plan.</p> <p>Examination of supporting information at s. 1.3 of Schedule F confirms that the WQMP applies to all groundwater resources within the NSW Murray—Darling Basin Porous Rock WRP area as set at Figure 1 of Schedule F.</p> <p>Further, assessment of material incorporated into the proposed WRP to meet the requirements of s. 10.03 of the Basin Plan, confirms that groundwater resources identified at s. 1.3 of Schedule F only include groundwater resources associated with the NSW Murray—Darling Basin Porous Rock WRP area.</p> <p>The Authority is satisfied that the requirements have been met.</p>	
The WRP applies the relevant Part 7 division	True	WRP s. 6	<p>Text for accreditation at s. 6 of the proposed WRP notes that as the NSW Murray—Darling Basin Porous Rock WRP area applies only to groundwater SDL resource units, the WQMP is made in accordance with Part 7 Division 3 (groundwater) of the Basin Plan.</p> <p>The Authority is satisfied that the requirements have been met.</p>	

Section 10.30 – WQM Plan to identify key causes of water quality degradation

The WQM Plan must identify the causes, or likely causes, of water quality degradation in the water resource plan area having regard to the key causes of water quality degradation identified in Part 2 of Chapter 9 and set out in Schedule 10.

Assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
The WQMP identifies all causes and likely causes of WQ degradation in the WRP area	Test turned off	Schedule B WRP s. 6	Schedule B notes that ss. 10.30 to 10.35 of the Basin Plan apply to WRP areas that contain surface water and as such there are no specific requirements to be addressed in this section.	Not applicable
The causes and likely causes includes all the applicable key causes identified in Part 2/Chapter 9/Schedule 10	Test turned off		<p>Text for accreditation at s. 6 notes that the requirements under Part 7 Division 2 (ss. 10.30 to 10.35) of the Basin Plan are not applicable for this plan to address as they apply to surface water SDL resource units as set out at s. 3.05 of the Basin Plan.</p> <p>Assessment of material incorporated into the proposed WRP to meet requirements of s. 10.29 of the Basin Plan has confirmed that the NSW Murray—Darling Basin Porous Rock WRP area only contains groundwater resources.</p> <p>Therefore, it is not relevant for the proposed WRP to address this requirement.</p>	

Section 10.31 – Measures addressing risks arising from water quality degradation

If a risk of a kind mentioned in paragraph 10.41(2)(d) has been identified in relation to the water resources of the water resource plan area, the WQM Plan must explain why measures addressing the risk have or have not been included in the water resource plan.

Summary of Assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
For each risk listed under s10.41(2)(d):				Not applicable
an explanation for why a measure is:				
(a) not included in the WQMP or	Test turned off	Schedule B WRP s. 6	Assessment of material incorporated into the proposed WRP at Schedule B and WRP s. 6 to meet the requirements of s. 10.30 of the Basin Plan has confirmed that the requirements of ss. 10.30 to 10.35 of the Basin Plan are not relevant to the WRP area.	
(b) included in the WQMP	Test turned off		Therefore, it is not relevant for the proposed WRP to address this requirement.	
For risks that are identified as having measures, the measure are included	Test turned off			

Section 10.32 – WQM Plan to identify water quality target values

- (1) The WQM Plan must identify the water quality target values for the water resource plan area.
- (2) The water quality target values are the following:
 - (a) for fresh water-dependent ecosystems—the applicable target values referred to in section 9.16;
 - (b) for irrigation water—the target values for water quality characteristics set out in section 9.17;
 - (c) for water used for recreational purposes—the values set out in section 9.18.

Note: The ADWG sets out standards for the quality of raw water for treatment for human consumption.
- (3) However, if the objectively determined actual value of a water quality characteristic at a site is better than the target value identified in subsection (2), then the target value is that better value.

Note: See the objective in section 9.08.
- (4) The WQM Plan may specify an alternative water quality target value if:
 - (a) it is consistent with the water quality objectives in Part 3 of Chapter 9; and
 - (b) it is determined in accordance with the procedures set out in the ANZECC Guidelines; and
 - (c) either:
 - (i) the alternative target value provides a better level of protection than the value that would apply under subsection (2) or (3), as applicable; or
 - (ii) the WQM Plan sets out reasons why the alternative target value will be as effective in achieving the objectives in Part 3 of Chapter 9; or
 - (iii) the WQM Plan sets out reasons why the target value in subsection (2) or (3), as applicable, is inappropriate for the water resource plan area; and
 - (d) for a water resource that is also covered by a water resource plan area of another Basin State—it is developed in consultation with that State.

10.32 subsection	Summary of Assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP identifies water quality targets for the plan area	Test turned off	Schedule B	Assessment of material incorporated into the proposed WRP at Schedule B and WRP s. 6 to meet the	Not applicable

10.32 subsection	Summary of Assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	The WRP identifies which subsection approach is applied: s10.32(2), (3) or (4)	Test turned off	WRP s. 6	requirements of s. 10.30 of the Basin Plan has confirmed that the requirements of ss. 10.30 to 10.35 of the Basin Plan are not relevant to the WRP area. Therefore, it is not relevant for the proposed WRP to address this requirement.	
2	Either, the identified water quality targets are targets that apply:				Not applicable
2(a)	(a) values for freshwater-dependent ecosystems as those values are described in s9.16/Schedule 11	Test turned off	Schedule B WRP s. 6	Assessment of material incorporated into the proposed WRP at Schedule B and WRP s. 6 to meet the requirements of s. 10.30 of the Basin Plan has confirmed that the requirements of ss. 10.30 to 10.35 of the Basin Plan are not relevant to the NSW WRP area. Therefore, it is not relevant for the proposed WRP to address this requirement.	
2(b)	(b) values for irrigation water as those values are described in s9.17	Test turned off			
2(c)	(c) values for recreational purposes as those values are described in s9.18	Test turned off			
3	Objectively determined actual values of WQ characteristics at a site are better than the target value identified	Test turned off	Schedule B WRP s. 6	Assessment of material incorporated into the proposed WRP at Schedule B and WRP s. 6 to meet the requirements of s. 10.30 of the Basin Plan has confirmed that the requirements of ss. 10.30 to 10.35 of the Basin Plan are not relevant to the WRP area. Therefore, it is not relevant for the proposed WRP to address this requirement.	Not applicable
	The water quality targets are values that are better than the values under subsection 2	Test turned off			

10.32 subsection	Summary of Assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
4	Or, the alternative water quality target values apply:				Not applicable
4(a)	Values that are consistent with the water quality objectives in Part 3 of Chapter 9 <i>and</i>	Test turned off	Schedule B WRP s. 6	Assessment of material incorporated into the proposed WRP at Schedule B and WRP s. 6 to meet the requirements of s. 10.30 of the Basin Plan has confirmed that the requirements of ss. 10.30 to 10.35 of the Basin Plan are not relevant to the NSW Murray—Darling Basin Porous Rock WRP area. Therefore, it is not relevant for the proposed WRP to address this requirement.	
4(b)	The values are determined in accordance with the procedure in the ANZECC Guidelines <i>and</i>	Test turned off			
4(c)	Either item (i), (ii) or (iii) is applied:				
4(c)(i)	<i>either</i> , the alternative target provides a better level of protection than the value that would apply under subsection (2) or (3), as applicable	Test turned off	Schedule B WRP s. 6	Assessment of material incorporated into the proposed WRP at Schedule B and WRP s. 6 to meet the requirements of s. 10.30 of the Basin Plan has confirmed that the requirements of ss. 10.30 to 10.35 of the Basin Plan are not relevant to the WRP area. Therefore, it is not relevant for the proposed WRP to address this requirement.	
4(c)(ii)	<i>or</i> , the WQMP sets out reasons why the alternative target value will be as effective in achieving the objectives in Part 3 of Chapter 9	Test turned off			

10.32 subsection	Summary of Assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
4(c)(iii)	or, the WQMP sets out reasons why the target value in subsection (2) or (3), as applicable, is inappropriate for the water resource plan area	Test turned off			
4(d)	The water resource is connected to water resources in another Basin state's WRP area	Test turned off	Schedule B WRP s. 6	Assessment of material incorporated into the proposed WRP at Schedule B and WRP s. 6 to meet the requirements of s. 10.30 of the Basin Plan has confirmed that the requirements of ss. 10.30 to 10.35 of the Basin Plan are not relevant to the WRP area. Therefore, it is not relevant for the proposed WRP to address this requirement.	
	The applicable alternative was developed in consultation with the other Basin state(s)	Test turned off			
	The WRP states that the water resources are not connected to another Basin state's WRP area	Test turned off			

Section 10.33 – WQM Plan to identify measures

- (1) The WQM Plan must specify measures to be undertaken in or in relation to the water resources of the water resource plan area that contribute to the achievement of the objectives set out in:
- (a) section 9.04 (Objectives of water-dependent ecosystems); and
 - (b) section 9.05 (Objectives for raw water for treatment for human consumption); and
 - (c) section 9.06 (Objective for irrigation water); and
 - (d) section 9.07 (Objective for recreational water quality); and
 - (e) section 9.08 (Objective to maintain good levels of water quality);
- unless there are no such measures that can be undertaken cost-effectively.
- (2) The measures must be prepared having regard to:
- (a) the causes, or likely causes, of water quality degradation identified in accordance with section 10.30; and
 - (b) target values identified in accordance with section 10.32; and
 - (c) the targets in Division 4 of Part 4 of Chapter 9.
- (3) The measures may include land management measures.

Note 1: Chapter 9 contains both water quality objectives and water quality targets. A WQM Plan must specify measures that contribute to the achievement of the objectives. The targets are relevant only to the extent that subsection (2) requires that the measures be prepared having regard to the targets. This section does not require a WQM Plan to set out measures designed to achieve the targets.

Note 2: See also subsections 22(9) to (12) of the Act.

Sub-section	Summary of Assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	Measures to be undertaken in or in relation to water resources in the WRP area are specified	Test turned off	Schedule B WRP s. 6	Assessment of material incorporated into the proposed WRP at Schedule B and WRP s. 6 to meet the requirements of s. 10.30 of the Basin Plan has confirmed that the requirements of ss. 10.30 to 10.35 of the Basin Plan are not relevant to the WRP area.	Not applicable

Sub-section	Summary of Assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				Therefore, it is not relevant for the proposed WRP to address this requirement.	
The measures contribute to each of the objectives in letters (a) to (e):					
1(a)	objectives of water-dependent ecosystems	Test turned off	Schedule B WRP s. 6	Assessment of material incorporated into the proposed WRP at Schedule B and WRP s. 6 to meet the requirements of s. 10.30 of the Basin Plan has confirmed that the requirements of ss. 10.30 to 10.35 of the Basin Plan are not relevant to the WRP area. Therefore, it is not relevant for the proposed WRP to address this requirement.	
1(b)	objectives for raw water treatment for human consumption	Test turned off			
1(c)	objectives for irrigation waters	Test turned off			
1(d)	objectives for recreational water quality	Test turned off			
1(e)	objectives for maintaining good levels of water quality	Test turned off			
	Where measures to be undertaken are not specified, a case is provided based on an assessment of cost-effectiveness	Test turned off			

Sub-section	Summary of Assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
2	The measures had regard to each of the matters in (a) to (c)	Test turned off	Schedule B WRP s. 6	<p>Assessment of material incorporated into the proposed WRP at Schedule B and WRP s. 6 to meet the requirements of s. 10.30 of the Basin Plan has confirmed that the requirements of ss. 10.30 to 10.35 of the Basin Plan are not relevant to the WRP area.</p> <p>Therefore, it is not relevant for the proposed WRP to address this requirement.</p>	Not applicable
	Causes or likely causes of water quality degradation, as identified in section 10.30	Test turned off			
	Target values, as identified in s 10.32	Test turned off			
	The targets in Division 4 of Part 4 Chapter 9 (i.e. s9.19)	Test turned off			
3	The WRP permits inclusion of land-based measures to achieve water quality objectives and targets	Test turned off	Schedule B WRP s. 6	<p>Assessment of material incorporated into the proposed WRP at Schedule B and WRP s. 6 to meet the requirements of s. 10.30 of the Basin Plan has confirmed that the requirements of ss. 10.30 to 10.35 of the Basin Plan are not relevant to the NSW Murray—Darling Basin Porous Rock WRP area.</p> <p>Therefore, it is not relevant for the proposed WRP to address this requirement.</p>	Not applicable

Section 10.34 – WQM Plan to identify locations of targets for irrigation water

The WQM Plan must identify the sites in the water resource plan area at which the target values for irrigation water apply.

Assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
The WRP has geographic information that enables identification of sites where the target values for irrigation water applies	Test turned off	Schedule B WRP s. 6	Assessment of material incorporated into the proposed WRP at Schedule B and WRP s. 6 to meet the requirements of s. 10.30 of the Basin Plan has confirmed that the requirements of ss. 10.30 to 10.35 of the Basin Plan are not relevant to the WRP area. Therefore, it is not relevant for the proposed WRP to address this requirement.	Not applicable

Section 10.35 – Impact of WQM Plan on another Basin State

The measures specified in the WQM Plan must be developed having regard to:

- (a) the impact those measures (including the absence of adequate measures) may have on the ability of another Basin State to meet water quality targets; and
- (b) any adverse impacts those measures may have on Basin water resources in the other Basin State.

Note: See also the consultation requirement in subsection 63(2) of the Act.

10.35 subsection	Summary of Assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	The measures under s10.33 take account of the matters in letters (a) and (b)	Test turned off	Schedule B WRP s. 6	Assessment of material incorporated into the proposed WRP at Schedule B and WRP s. 6 to meet the requirements of s. 10.30 of the Basin Plan has confirmed that the requirements of ss. 10.30 to 10.35 of the Basin Plan are not relevant to the WRP area. Therefore, it is not relevant for the proposed WRP to address this requirement.	Not applicable
(a)	The impact(s) of the measures (or absence of adequate measures) upon another Basin state's ability to meet WQ targets	Test turned off			
(b)	Adverse impacts on water resources in other the Basin state	Test turned off			

Section 10.35A – WQM Plan to identify key causes of water quality degradation

The WQM Plan must identify the causes, or likely causes, of water quality degradation in the water resource plan area having regard to the key causes of water quality degradation identified in Part 2 of Chapter 9 and set out in in Schedule 10.

Summary of Assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
The WQMP identifies all causes and likely causes of WQ degradation in the WRP area	True	Schedule B WRP s. 6 Schedule F, Table 3	<p>Schedule B refers to WRP s. 6 as addressing the requirements of s. 10.35A of the Basin Plan.</p> <p>Text for accreditation at s. 6 refers to Table 3 of Schedule F for the identification of the causes, or likely causes, of water quality degradation applicable to the WRP area.</p> <p>Examination of Table 3 confirms that it lists types of water quality degradation (column one), their causes (column two), and where the type of water quality degradation poses risks in the WRP area (column three).</p> <p>As such, the WQMP has identified the causes, or likely causes of water quality degradation applicable to the WRP area.</p> <p>The Authority is satisfied that the requirements have been met.</p>	MET
The causes and likely causes includes all the applicable key causes identified in Part 2/Chapter 9/Schedule 10	True	Schedule F, Table 3	<p>Examination of Table 3 of Schedule F confirms that column one lists the types of water quality degradation set out in Part 2 of Chapter 9 of the Basin Plan relevant to the groundwater resources of the WRP area and that column two lists the key causes for the corresponding type of water quality degradation consistent with those set out at Schedule 10 of the Basin Plan.</p> <p>The Authority is satisfied that the requirements have been met.</p>	

Section 10.35B – WQM Plan to identify water quality target values

- (1) The WQM Plan must identify the water quality target values for the water resource plan area.
- (2) The water quality target values are the following:
 - (a) for fresh water-dependent ecosystems—the applicable target values referred to in section 9.16;
 - (b) for irrigation water—the target values for water quality characteristics set out in section 9.17;
 - (c) for water used for recreational purposes—the values set out in section 9.18.
- (3) However, the WQM Plan may specify alternative water quality target values if they are consistent with the water quality objectives in Part 3 of Chapter 9.

10.35B subsection	Summary of Assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP identifies water quality targets for the plan area	True	Schedule B Schedule F, Table 7	<p>Schedule B refers to WRP s. 6 as addressing the requirements of s. 10.35B of the Basin Plan.</p> <p>Text for accreditation at s. 6 refers to Table 7 of Schedule F as identifying water quality target values that apply to the WRP area for the purpose of s. 10.35B of the Basin Plan.</p> <p>Further, text for accreditation at s. 6 notes that because Table 7 specifies alternative values to those set out at s. 9.16 of the Basin Plan, s. 10.35B(3) of the Basin Plan has been applied.</p> <p>Examination of Table 7 confirms that column four sets out a justification for the application of s. 10.35B(3) of the Basin Plan relevant to the alternative water quality target values for freshwater dependent ecosystems set out in column three.</p> <p>As such, the Authority is satisfied that the requirements have been met.</p>	MET
	The WRP identifies which subsection approach is applied: s10.35B(2) or (3)	True			

10.35B subsection	Summary of Assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
2	<i>Either</i> , the identified water quality targets are targets that apply:				Not applicable
2(a)	(a) values for freshwater-dependent ecosystems as those values are described in s9.16/Schedule 11	Test turned off	WRP s. 6 Schedule F, Table 7	Text for accreditation at s. 6 notes that Table 7 of Schedule F specifies alternative values to those set out at s. 9.16 of the Basin Plan and as such s. 10.35B(3) of the Basin Plan has been applied. The text for accreditation also notes that a water quality target value has not been identified for the Oaklands Basin SDL resource unit, as this is a buried resource unit that does not support any fresh-water dependent ecosystems. The Authority is satisfied that this is the case and that water quality target values for the Oaklands Basin SDL resource unit are not relevant to this requirement. Examination of Table 7 confirms column three sets out water quality target values for all the SDL resource units of the WRP area except for the Oaklands Basin SDL resource unit, and that the values are different to those set out under s. 9.16 and Schedule 11 of the Basin Plan. Therefore, s. 10.35B(2) is not applicable as s. 10.35B(3) has been applied.	
2(b)	(b) values for irrigation water as those values are described in s9.17	Test turned off	WRP s. 6	Text for accreditation at s. 6 notes that no irrigation infrastructure operators operate in the WRP area, thus water quality targets identified at s. 9.17 of the Basin Plan do not apply. Therefore, it is not relevant for the proposed WRP to address this requirement. The Authority is satisfied that this is the case and therefore, it is not relevant for the proposed WRP to address this requirement.	

10.35B subsection	Summary of Assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
2(c)	(c) values for recreational purposes as those values are described in s9.18	Test turned off	WRP s. 6	Text for accreditation at s. 6 states that groundwater is not used for recreational purposes in the WRP area and as such water quality targets to meet ss. 9.07 and 9.18 requirements are not provided. The Authority is satisfied that this is the case and therefore, it is not relevant for the proposed WRP to address this requirement.	MET
3	Or, the alternative water quality target values are consistent with the water quality objectives in Part 3 of Chapter 9	True	WRP s. 6 Schedule F, Table 7, supporting information at Schedule F, s. 5.1.1	Text for accreditation at s. 6 notes that because Table 7 of Schedule F specifies alternative values to those set out at s. 9.16 of the Basin Plan, s. 10.35B(3) of the Basin Plan has been applied. The Authority notes that there are fresh-water dependent ecosystems reliant on the groundwater resources of the WRP area. Therefore, it is considered appropriate to apply the relevant surface water target values as specified in s. 9.16 of the Basin Plan and Schedule 11, or to provide alternative water quality target values. NSW has adopted alternative water quality targets for salinity that will provide a better level of protection for fresh water-dependent ecosystems identified in the WRP area. Target values for other water quality parameters are not considered relevant to the WRP area. Further, examination of Table 7 of Schedule F confirms it lists in column three, target values for Zone 1 and Zone 2 in all SDL resource units except the Oaklands Basin SDL resource unit, which is a buried SDL resource unit that does not support groundwater-dependent ecosystems.	

10.35B subsection	Summary of Assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>Supporting information at s. 5.1.1 of Schedule F describes in detail how these alternative targets apply to each of the zones, and how they are consistent with the water quality objectives in Part 3 of Chapter 9 of the Basin Plan.</p> <p>As such, the Authority is satisfied that the proposed WRP has provided alternative water quality target values for salinity, consistent with the water quality objectives in Part 3 of Chapter 9 of the Basin Plan.</p> <p>The Authority is satisfied that the requirement has been met.</p>	

Section 10.35C – Consideration to be given to rules or measures

- (1) In preparing the WQM Plan, regard must be had to whether it is desirable for it to include rules or measures that support the maintenance of water quality within groundwater SDL resource units against the effects of elevated levels of salinity and other types of water quality degradation, taking into account the causes, or likely causes, of water quality degradation identified under section 10.35A and the water quality target values identified under section 10.35B.
- (2) Without limiting subsection (1), regard must be had to whether it is desirable for the WQM Plan to include rules or measures that specify:
 - (a) the times, places and rates at which water is permitted to be taken from a groundwater SDL resource unit; and
 - (b) resource condition limits, being limits beyond which the taking of groundwater from the groundwater SDL resource unit will result in an elevated level of salinity or another type of water quality degradation; and
 - (c) restrictions on the water permitted to be taken (including the times, places and rates at which water may be taken) in order to prevent a resource condition limit from being exceeded; and
 - (d) a requirement to establish and maintain a register which identifies the sites of bores used to monitor salinity or other water quality characteristics in the groundwater SDL resource unit.
- (3) If the outcome of the requirement in subsection (1) is that such rules or measures are desirable, the WQM Plan must include those rules or measures, or explain why they have not been included.

Sub-section	Summary of Assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP includes rules or measures to manage salinity or other WQ degradation within the GW SDL unit(s)	True	Schedule B WRP s. 6 Schedule F, Tables 3, 6	<p>Schedule B refers to WRP s. 6 as addressing s. 10.35C of the Basin Plan.</p> <p>Text for accreditation at s. 6 refers to Table 6 of Schedule F as identifying measures that support the maintenance of water quality against the effects of salinity and other causes of water quality degradation in the WRP area.</p> <p>Examination of Table 6 confirms that:</p> <ul style="list-style-type: none"> column one sets out water quality objectives that have regard to the causes or likely 	MET

Sub-section	Summary of Assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>causes of water quality degradation set out at Table 3 of Schedule F and the risk of degradation posed by these causes or likely causes as set out at Table 3 of Schedule F.</p> <ul style="list-style-type: none"> columns two, three and four set out strategies, management actions and management plans (taken to be measures for the purpose of s. 10.35C(1)) to address medium or high risks of water quality degradation (as noted in Table 3 of Schedule F). column four sets out rules (taken from the nominated management plans) to give effect to the strategies and management actions set out in columns two and three. <p>The Authority is satisfied that the requirement has been met.</p>	
	The WRP explains how the rules/measures, or the rationale for not including rules or measures, take account of the causes and likely causes identified for s10.35A	True	<p>WRP s. 6</p> <p>Schedule F, Table 3, 6, supporting information at Schedule F, Appendix E, Table 11</p> <p>Text for accreditation at s. 6 explains that the measures (rules) identified as 'A' in column four of Table 6 of Schedule F are those which are for accreditation. The text for accreditation goes on to explain that measures are provided for accreditation on the basis that:</p> <ul style="list-style-type: none"> The risk of water quality degradation (having regard to the cause or likely cause of degradation set out in Table 3 of Schedule F) has been rated as medium or high 	

Sub-section	Summary of Assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<ul style="list-style-type: none"> • Appropriate water quality targets have been identified (as set out in s. 5 of Schedule F) • The measures are actions within in the scope of the <i>Water Act 2007</i> and the WMA 2000 • The measures are fit-for-purpose and cost effective. <p>Supporting information in Appendix E of Schedule F, particularly Table 11 provides further explanation of the rationale for identifying measures for accreditation and how the measures link to causes and likely cause of water quality degradation, risks arising from those causes and the relevant water quality targets.</p> <p>As such, the proposed WRP has set out a rationale for why rules / measures have or have not been included in the proposed WRP having regard to the causes or likely causes of water quality degradation in the WRP area.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
	The WRP explains how the rules/measures, or the rationale for not including rules or measures, take account of the WQ target values identified for s10.35B	True	<p>WRP s. 6</p> <p>Schedule F, Tables 6, 7, supporting information at Schedule F Appendix E, Table 11</p> <p>Schedule D, Table 8-7</p>	<p>Text for accreditation states that measures set out at Table 6 of Schedule F have been prepared having regard to the water quality targets listed in Schedule F, Table 7 and to address medium and high risks resulting from water quality degradation as set out in Table 8-7 of Schedule D.</p> <p>Examination of Tables 6 and 7 of Schedule F and Table 8-7 of Schedule D confirms that rules /</p>	

Sub-section	Summary of Assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>measures included in the proposed WRP do take account of the water quality target values identified at s. 10.35B of the Basin Plan.</p> <p>Supporting information in Appendix E of Schedule F, particularly Table 11 provides further explanation of the rationale for identifying measures for accreditation and how the measures link to causes and likely cause of water quality degradation, risks arising from those causes and the relevant water quality targets.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
2	<p>Regard was had to the need for rules to specify:</p> <p>(a) times, places and rates for permitted take from a groundwater SDL resource unit</p>				MET
		True	<p>Schedule B</p> <p>Schedule F, Table 6</p> <p>Schedule A: NSW Murray—Darling Basin Porous Rock Groundwater Sources WSP 2020, cls 17, 25, 26, 27, 28, 29, 38, 39, 40, 41, 42, 43, 44, 46, 47, 48, 49, 50, 51, 58, 60</p> <p>WMA 2000, ss. 60A, 100, 102, and 324</p> <p>Schedule I, s. 3</p>	<p>Text for accreditation at s. 6 refers column four in Table 6 of Schedule F as setting out provisions from State instruments (Schedule A and the WMA 2000) which operate as rules for the purpose of s. 10.35C(2) of the Basin Plan.</p> <p>Examination of the provisions in Schedule A and the WMA 2000 confirms that they do operate to ensure that times, places and rates for permitted take from a groundwater SDL resource in the NSW Murray—Darling Basin Porous Rock WRP area, are those set out in the instruments.</p> <p>The text or accreditation further states that s. 3 of Schedule I sets out the processes for considering triggers and actions that restrict water take. This includes the management of risks resulting from</p>	

Sub-section	Summary of Assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>water quality. Examination of s. 3 of Schedule I confirms this is the case.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
	(b) resource condition limits for salinity levels and other water quality degradation	<p>True</p> <p>Schedule F, Table 6</p> <p>Schedule A: NSW Murray—Darling Basin Porous Rock Groundwater Sources WSP 2020, cls 17, 25, 26, 27,28, 29, 38, 39, 40, 41, 42, 43, 44, 46, 47, 48, 49, 50, 51, 58 and 60</p> <p>WMA 2000, ss. 60A, 100, 102, and 324</p> <p>Schedule I, s. 3</p>	<p>Text for accreditation at s. 6 refers column four in Table 6 of Schedule F as setting out provisions from State instruments (Schedule A and the WMA 2000) which operate as rules for the purpose of s. 10.35C(2) of the Basin Plan.</p> <p>Examination of the provisions in Schedule A and the WMA 2000 confirms that they do operate to ensure that the resource condition limits for salinity levels and other water quality degradation in the WRP area are not exceeded.</p> <p>The text for accreditation further states that s. 3 of Schedule I sets out the processes for considering triggers and actions that restrict water take. This includes the management of risks resulting from water quality.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
	(c) restrictions on take to prevent exceedance of resource condition limit	<p>True</p> <p>WRP s. 6</p> <p>Schedule F, Table 6</p> <p>Schedule A: NSW Murray—Darling Basin Porous Rock Groundwater Sources WSP 2020, cls 17, 25, 26, 27,28,</p>	<p>Text for accreditation at s. 6 refers column four in Table 6 of Schedule F, as setting out provisions from State instruments (Schedule A and the WMA 2000) which operate as rules for the purpose of s. 10.35C(2) of the Basin Plan.</p> <p>Examination of the provisions in Schedule A and the WMA 2000 confirms that they do operate to ensure</p>	

Sub-section	Summary of Assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
		<p>29, 38, 39, 40, 41, 42, 43, 44, 46, 47, 48, 49, 50, 51, 58 and 60</p> <p>WMA 2000, ss. 60A, 100, 102, and 324</p> <p>Schedule I, s. 3</p>	<p>that restrictions on take to prevent exceedance of resource condition limits in the WRP area.</p> <p>The text or accreditation further states that s. 3 of Schedule I sets out the processes for considering triggers and actions that restrict water take. This includes the management of risks resulting from water quality.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
	(d) establishment and maintenance of a register of bores to monitor water quality	<p>True</p> <p>WRP s. 6</p> <p>Schedule I, s. 3</p>	<p>Text for accreditation at s. 6 acknowledges that NSW currently does not have a water quality monitoring program for groundwater sources, and notes that should NSW establish a water quality monitoring program, a register of monitoring bores for salinity will be established.</p> <p>The text for accreditation also refers to s. 3 of Schedule I as setting out the process for considering triggers and actions including in response to water quality matters.</p> <p>Examination of s. 3 of Schedule I confirms that one of the responses to water quality degradation is water quality for monitoring (taken to be at a local scale).</p> <p>Notwithstanding the current absence of a register of bores to monitor water quality, the Authority is satisfied that sufficient regard has been demonstrated in the proposed WRP for the management of groundwater quality through rules</p>	

Sub-section	Summary of Assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				and arrangements as noted in the assessment of ss. 10.35(C)(1) and (2) of the Basin Plan. The Authority is satisfied that the requirement has been met.	
3	Rules or measures are included	True	WRP s. 6 Schedule F, Table 6	Text for accreditation at s. 6 refers to Table 6 of Schedule F as identifying measures that support the maintenance of water quality against the effect of elevated salinity and other types of water quality degradation in the WRP area. Assessment of material incorporated into the proposed WRP to meet the requirements of ss. 10.35C(1) and (2) has confirmed that rules or measures have been incorporated into the proposed WRP and that a rationale has been provided for why rules have or have not been included. The Authority is satisfied that the requirement has been met.	MET
	A rationale is provided for why rules or measures are not desirable	True			
	A rationale is provided for why rules or measures are not included	True			

Section 10.35D – Additional requirement for Western Porous Rock, Gunnedah-Oxley Basin MDB, Sydney Basin MDB and Goulburn-Murray: Sedimentary Plain SDL resource units

The WQM Plan for the following water resource plan areas must include rules or measures that are designed to ensure that the objective set out in section 10.35C is met:

- (a) the NSW Murray-Darling Basin Porous Rock water resource plan area, in relation to the Western Porous Rock, Gunnedah-Oxley Basin MDB and Sydney Basin MDB SDL resource units;
- (b) the Goulburn-Murray water resource plan area, in relation to the Goulburn-Murray: Sedimentary Plain SDL resource unit.

Note: The objective set out in section 10.35C is that water quality within a groundwater SDL resource unit is maintained against the effects of elevated levels of salinity and other types of water quality degradation.

Summary of Assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
The WRP area is one of listed in this section 10.35D letters (a) or (b)	True	Schedule B WRP s. 6	Schedule B refers to WRP s. 6 as addressing the requirements of s. 10.35D of the Basin Plan. Assessment against the requirements of s. 10.03 of the Basin Plan has confirmed that the NSW Murray—Darling Basin Porous Rock WRP area does incorporate the SDL resource units as noted at s. 10.35D(a) of the Basin Plan. The Authority is satisfied that the requirements have been met.	MET
The WRP/WQMP includes the rules or measures that achieves for the objectives in section 10.35C to be met	True	WRP s. 6 Schedule F, Table 6, 7	Text for accreditation at s. 6 states the measures set out in Table 6 of Schedule F are designed to support the maintenance of water quality in the Western Porous Rock, Gunnedah-Oxley Basin MDB and Sydney Basin MDB SDL resource units. The text for accreditation goes on to note that the measures have been prepared having regard to the causes, or likely causes of water quality degradation listed for Basin Plan section 10.35A and the water quality	

Summary of Assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
		<p>target values listed for 10.35B and that the measures align with the risks identified in Schedule D.</p> <p>Examination of Table 6 confirms that:</p> <ul style="list-style-type: none"> • column one sets out water quality objectives that have regard to the causes or likely causes of water quality degradation set out at Table 3 of Schedule F, the risk of degradation posed by these causes or likely causes as set out at Table 3 and the water quality targets set out in Table 7 of Schedule F. • columns two, three and four set out strategies, management actions and management plans (taken to be measures for the purpose of s. 10.35C(1)) to address medium or high risks of water quality degradation (as noted in Table 3 of Schedule F). • column four sets out rules (taken from the nominated management plans) to give effect to the strategies and management actions set out in columns two and three. <p>The Authority is satisfied that the requirement has been met.</p>	

Part 8 Trade of water access rights

Section 10.36 – Application of Part

This Part does not apply to water access rights of a kind that are not able to be traded under State water management law.

Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
Water access rights of a kind that are able to be traded under State water management law are identified in the WRP	True Schedule B WRP s. 5.8.2 WMA 2000 (NSW), s. 71O-71W Schedule A: NSW MDB Porous Rock WSP 2020, Part 10	Schedule B identifies WRP s. 5.8.2 as addressing s. 10.36 of the Basin Plan. Text for accreditation at s. 5.8.2 identifies rules and arrangements in: <ul style="list-style-type: none"> Part 10 of Schedule A s. 71O- s. 71W of the WMA 2000 Examination of these rules confirm that they identify water access rights that are able to be traded. The Authority is satisfied that this requirement has been met.	MET
The WRP applies the circumstances in s10.37 to 10.39 to groundwater water access rights that are tradable under State water management law	True WRP s. 5.8.2	The text for accreditation at s. 5.8.2 states that trade is not permitted between any groundwater SDL resource unit in the WRP area and a surface water SDL resource unit (s. 10.39). Basic rights are also not able to be traded. Text for accreditation at s. 5.8.2 states that trade is not permitted between groundwater SDL resource units within the WRP area or with other NSW SDL resource units (s. 10.38). Trade is also not permitted with	

Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
		<p>any connected groundwater SDL resource unit in another Basin State as administrative arrangements to facilitate trade of this type are not in place.</p> <p>Trade in groundwater access rights between two locations (s. 10.37) is conditionally permitted:</p> <ul style="list-style-type: none"> • within the Gunnedah-Oxley Basin SDL resource unit, between the Gunnedah-Oxley Basin MDB (Spring Ridge) Management Zone and the Gunnedah-Oxley Basin MDB (Other) Management Zone • within the Sydney Basin MDB SDL resource unit, between the Sydney Basin MDB (Macquarie Oxley) Management Zone and the Sydney Basin MDB (Other) Management Zone. <p>The Authority is satisfied that this requirement has been met.</p>	

Section 10.37 – Circumstances in which conditions in section 12.24 are met

- (1) A water resource plan must set out the circumstances in which trade between 2 locations within a groundwater SDL resource unit is permitted. In setting out the circumstances, a water resource plan must ensure that each condition set out in section 12.24 will be met in relation to the proposed trade.
- (2) If the water resource plan applies a conversion rate to meet the condition in paragraph 12.24(d), the water resource plan must either:
 - (a) specify the conversion rate; or
 - (b) set out the way in which the conversion rate will be determined from time to time and made generally available.

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP sets out the circumstances in which trade between 2 locations within a groundwater SDL resource unit is permitted	True	<p>Schedule B</p> <p>WRP ss 2.1, 2.2 and 5.8.2</p> <p>Schedule A: NSW MDB Porous Rock WSP 2020, Part 10 including cls 46(1), 48, 49(1), 51(1)</p> <p>Schedule I, s. 3</p>	<p>Schedule B refers to WRP s. 5.8.2 as addressing s. 10.37 of the Basin Plan.</p> <p>Text for accreditation at s. 5.8.2 states that trade between two locations in the Gunnedah-Oxley Basin SDL resource unit is conditionally permitted if it is between the Gunnedah-Oxley Basin MDB (Spring Ridge) Management Zone and the Gunnedah-Oxley Basin MDB (Other) Management Zone. Section 5.8.2 also states that trade is conditionally permitted in the Sydney Basin MDB SDL resource unit if it is between the Sydney Basin MDB (Macquarie Oxley) Management Zone and the Sydney Basin MDB (Other) Management Zone.</p> <p>Text for accreditation at s. 5.8.2 sets out the following general circumstances in which trade is permitted:</p> <ul style="list-style-type: none"> where sufficient hydraulic connectivity exists (as identified in WRP ss. 2.1 and 2.2) 	MET

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<ul style="list-style-type: none"> if trade would not result in exceedance of the volume listed in cl 46(1), 48, 49(1) or 51(1) of Schedule A if water access rights in the two locations have substantially similar characteristics of timing, reliability and volume if an assessment of risks and impacts and an administrative check as set out in s. 3 of Schedule I are undertaken. <p>The Authority has reviewed the arrangements listed in the proposed WRP and is satisfied that the listed arrangements for trade are consistent with the requirements for this provision including meeting the conditions listed in s. 12.24 of the Basin Plan.</p> <p>The Authority is satisfied that this requirement has been met. See assessment below for details.</p>	
	When a trade as described in this section occurs, each of the following conditions will be met in relation to that trade:				MET
	sufficient hydraulic connectivity between the 2 locations	True	WRP s. 5.8.2 WRP ss. 2.1 and 2.2	<p>Text for accreditation at s. 5.8.2 states that trade is permitted between two locations, where sufficient hydraulic connectivity exists. Section 5.8.2 refers to ss. 2.1 and 2.2 for this demonstration.</p> <p>This examination of the material in ss. 2.1 and 2.2 demonstrates that sufficient hydraulic connectivity exists</p>	

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>within the Gunnedah-Oxley Basin SDL resource unit, between the Gunnedah-Oxley Basin MDB (Spring Ridge) Management Zone and the Gunnedah-Oxley Basin MDB (Other) Management Zone and in the Sydney Basin MDB SDL resource unit between the Sydney Basin MDB (Macquarie Oxley) Management Zone and the Sydney Basin MDB (Other) Management Zone to allow for trade.</p> <p>The Authority is satisfied that this requirement has been met.</p>	
	resource condition limits in the SDL resource unit specified in a water resource plan will not be exceeded as a result of the trade	True	WRP s. 5.8.2 Schedule A: NSW MDB Porous Rock WSP 2020, cl 46(1), 48, 49(1), 51(1)	<p>Text for accreditation at s. 5.8.2 incorporates provisions of Schedule A that place restrictions on trades between the Gunnedah-Oxley Basin MDB (Spring Ridge) Management Zone and the Gunnedah-Oxley Basin MDB (Other) Management Zone and between the Sydney Basin MDB (Macquarie Oxley) Management Zone and the Sydney Basin MDB (Other) Management Zone if specified volume limits would be exceeded.</p> <p>The Authority is satisfied that the resource condition limits, as represented by the limits listed in cls 46(1), 48, 49(1) and 51(1) of Schedule A for the Gunnedah-Oxley Basin MDB (Spring Ridge) Management Zone, and the SDL in Schedule 4 of the Basin Plan for the Sydney Basin MDB SDL resource unit (GS41) SDL resource unit will not be exceeded as a result of trade.</p>	

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				The Authority is satisfied that this requirement has been met.	
	<u>and either:</u>				
	water access rights in the 2 locations have substantially similar characteristics of timing, reliability and volume <i>or</i>	True	WRP s 5.8.2 WMA 2000 (NSW) Schedule A: NSW MDB Porous Rock WSP 2020, Part 10	Text for accreditation at s. 5.8.2 and Part 10 of Schedule A permit trade between two locations within the Gunnedah-Oxley Basin SDL resource unit, between the Gunnedah-Oxley Basin MDB (Spring Ridge) Management Zone and the Gunnedah-Oxley Basin MDB (Other) Management Zone and in the Sydney Basin MDB SDL resource unit between the Sydney Basin MDB (Macquarie Oxley) Management Zone and the Sydney Basin MDB (Other) Management Zone, in accordance with the requirements of s. 12.24 of the Basin Plan.	
	measures are in place to ensure that the water access right to be traded will maintain its characteristics of timing, reliability and volume	True	Schedule I, s. 3 and Figure I-3	Figure I-3 in s. 3 of Schedule I outlines the process and considerations made by NSW when assessing applications for trade (dealings) and new works. The Authority is satisfied that the proposed WRP will ensure that this condition is met for trades between two locations. The Authority is satisfied that this requirement has been met.	
	Measures in place to address the impact, as a result of trade, on water	True	WRP s. 5.8.2	Text for accreditation at s. 5.8.2 notes that trade is permitted subject to an administrative check described in s. 3 of Schedule I. Figure I-3 in Schedule I outlines the	

Subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
	availability in relation to a water access right held by a third party	Schedule I, s. 3 and Figure I-3	<p>pathway for assessing trade applications, and notes that a risk assessment is undertaken for each application. If the risk is found to be medium or high, a detailed analysis to determine impacts of the proposed increased extraction on the water table is undertaken, including a consideration of the impacts on:</p> <ul style="list-style-type: none"> • the water source • Groundwater Dependent Ecosystems • cultural significant sites • neighbouring water supply bores <p>Figure I-3 indicates that a trade may either be refused, recommended for approval, or recommended for approval with conditions depending on the outcome of the detailed analysis.</p> <p>The Authority is satisfied that the process listed in s. 5.8.2 and Figure I-3 provides information on how measures are in place to address the impact, as a result of trade, on water availability in relation to a water access right held by a third party. As such, the Authority is satisfied that the proposed WRP will ensure that this condition is met.</p> <p>The Authority is satisfied that this requirement has been met.</p>	

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
2	The WRP applies a conversion rate to meet the condition in s12.24(d)	Test turned off	WRP s. 5.8.2	WRP s. 5.8.2 states indicate that no conversion rate is applied to meet the condition in s. 12.24(d).	Not applicable
	<i>If 'yes' either of the following:</i>				Not applicable
2(a)	The conversion rate is specified	Test turned off	Not applicable	Not applicable	
2(b)	The way in which the conversion rate will be determined from time to time and made generally available is set out	Test turned off	Not applicable	Not applicable	
	<i>The 'no' case in not necessary to re-state</i>				

Section 10.38 – Circumstances in which conditions in section 12.25 are met

- (1) A water resource plan must set out the circumstances in which trade between 2 groundwater SDL resource units is permitted. In setting out the circumstances, a water resource plan must ensure that each condition set out in section 12.25 will be met in relation to proposed trade.
- (2) If the water resource plan applies a conversion rate to meet the condition in paragraph 12.25(e), the water resource plan must either:
 - (a) specify the conversion rate; or
 - (b) set out the way in which the conversion rate will be determined from time to time and made generally available.

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP sets out the circumstances in which trade between 2 groundwater SDL resource unit is permitted	False	Schedule B WRP s. 5.8.2	<p>Schedule B refers to WRP s. 5.8.2 as addressing s. 10.38 of the Basin Plan.</p> <p>Text for accreditation at s. 5.8.2 states that trade between two groundwater SDL resource units in the NSW Murray–Darling Basin Porous Rock WRP area and with other NSW SDL resource units is not permitted. Trade between the Oaklands Basin and Sydney Basin MDB SDL resource units and a groundwater SDL resource unit of another state is not permitted.</p> <p>Trade between the: a) Gunnedah-Oxley Basin MDB groundwater SDL resource unit and a connected Queensland groundwater SDL resource unit, and b) between the Western Porous Rock SDL resource unit and a Victorian groundwater SDL resource unit is not permitted unless administrative arrangements are agreed to and</p>	MET

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>implemented by NSW and the relevant State. The text for accreditation states that at the time of writing, no such administrative arrangements are in place.</p> <p>Consequently, circumstances are not present that trigger the requirements of s. 10.38 of the Basin Plan.</p> <p>Therefore, this requirement is not applicable.</p>	
	When a trade as described in this section occurs, each of the following conditions will be met in relation to that trade:				Not applicable
	sufficient hydraulic connectivity between the 2 units	Test turned off	Not applicable	As the Authority has concluded that trade is prohibited, this test is not applicable.	
	resource condition limits in the SDL resource units specified in a water resource plan will not be exceeded as a result of the trade	Test turned off	Not applicable	As the Authority has concluded that trade is prohibited, this test is not applicable.	
	the measures in place to account for trade are consistent with the method addressing s10.10	Test turned off	Not applicable	As the Authority has concluded that trade is prohibited, this test is not applicable.	
<u>and either:</u>					

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	water access rights in the 2 units have substantially similar characteristics of timing, reliability and volume	Test turned off	Not applicable	As the Authority has concluded that trade is prohibited, this test is not applicable.	
	measures are in place to ensure that the water access right to be traded will maintain its characteristics of timing, reliability and volume	Test turned off			
	measures in place to address the impact, as a result of trade, on water availability in relation to a water access right held by a third party	Test turned off	Not applicable	As the Authority has concluded that trade is prohibited, this test is not applicable.	
2	The WRP applies a conversion rate to meet the condition in s12.25(e)	Test turned off	Not applicable	Not applicable	Not applicable
	<i>If 'yes' either:</i>				Not applicable
2(a)	The conversion rate is specified <i>or</i>	Test turned off	Not applicable	Not applicable	

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
2(b)	The way in which the conversion rate will be determined from time to time and made generally available is set out	Test turned off	Not applicable	Not applicable	
	The ‘no’ case is not necessary to re-state				

Section 10.39 – Circumstances in which conditions in section 12.26 are met

- (1) A water resource plan must set out the circumstances in which trade between a groundwater SDL resource unit and a surface water SDL resource unit is permitted. In setting out the circumstances, a water resource plan must ensure that each condition set out in section 12.26 will be met in relation to proposed trade.
- (2) If the water resource plan applies a conversion rate to meet the condition in paragraph 12.26(e), the water resource plan must either:
 - (a) specify the conversion rate; or
 - (b) set out the way in which the conversion rate will be determined from time to time and made generally available.

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP sets out the circumstances that apply to trade being permitted between a groundwater SDL resource unit and a surface water SDL resource unit	False	Schedule B WRP s. 5.8.2	Schedule B refers to s. 5.8.2 as addressing s. 10.39 of the Basin Plan. Text for accreditation at s. 5.8.2 states that trade between any NSW Murray-Darling Basin Porous Rock SDL resource unit and a surface water SDL resource unit is not permitted. Consequently, circumstances are not present that trigger the requirements of s. 10.39 of the Basin Plan. Therefore, this requirement is not applicable.	Not applicable
	When a trade as described in this section occurs, each of the following conditions will be met in relation to that trade:				Not applicable
	sufficient hydraulic connectivity between the 2 units	Test turned off	Not applicable	Not applicable	

Sub-section	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
	resource condition limits in in the groundwater SDL resource unit specified in a water resource plan will not be exceeded as a result of the trade	Test turned off	Not applicable	Not applicable
	the measures in place to account for trade are consistent with the method addressing s10.10	Test turned off	Not applicable	Not applicable
	<u>and either:</u>			
	water access rights in the 2 units have substantially similar characteristics of timing, reliability and volume	Test turned off	Not applicable	Not applicable
	measures are in place to ensure that the water access right to be traded will maintain its characteristics of timing, reliability and volume	Test turned off	Not applicable	Not applicable
	measures in place to address the impact, as a result of trade, on water availability in relation to a water access right held by a third party	Test turned off	Not applicable	Not applicable

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
2	The WRP applies a conversion rate to meet the condition in s12.26(e)	Test turned off	WRP s. 5.8.2	The proposed WRP does not apply a conversion rate to meet the condition in s. 12.26(e) as s. 5.8.2 indicates that trade of groundwater water access rights is not permitted between any SDL resource unit in NSW MDB Porous Rock WRP area and a surface water SDL resource unit. Therefore, this requirement is not applicable.	Not applicable
	If 'yes' either:	Test turned off	Not applicable	Not applicable.	
2(a)	The conversion rate is specified	Test turned off	Not applicable	Not applicable.	
2(b)	The way in which the conversion rate will be determined from time to time and made generally available is set out	Test turned off	Not applicable	Not applicable.	
	The 'no' case is not necessary to re-state				

Part 9 Risk assessment

Section 10.40 - Definitions

In this Part:

risk means a risk listed in a water resource plan in accordance with subsection 10.41(4).

level of risk has the meaning given in AS/NZS ISO 31000:2009 Risk Management—Principles and Guidelines.

**Section 10.40 lists
definitions for Part 9 only
and therefore there is no
requirement to assess**

Section 10.41 – Risk identification and assessment methodology

- (1) A water resource plan must be prepared having regard to current and future risks to the condition and continued availability of the water resources of the water resource plan area.
- (2) Without limiting subsection (1), the risks include (where applicable):
 - (a) risks to the capacity to meet environmental watering requirements; and
 - (b) risks arising from the matters referred to in subsection 10.20(1); and
 - (c) risks arising from potential interception activities; and
 - (d) risks arising from elevated levels of salinity or other types of water quality degradation.
- (3) In identifying risks for the purposes of subsection (1), regard must be had to:
 - (a) risks identified in section 4.02; and
 - (b) any guidelines published by the Authority in relation to risk identification and risk assessment.
- (4) The water resource plan must list the risks identified for the purposes of subsection (1).
- (5) The water resource plan must assess each risk.
- (6) The water resource plan must define the level of risk of each risk, using the following categories:
 - (a) low;
 - (b) medium;
 - (c) high;
 - (d) if it is considered appropriate, any additional category.
- (7) The water resource plan must describe the data and methods used to identify and assess the risks.
- (8) The water resource plan must describe any quantified uncertainties in the level of risk attributed to each risk, including the results of any sensitivity analysis.

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The development of the WRP had regard to current and	True	Schedule B	Schedule B refers to WRP ss. 3, 3.1, 3.2 and 3.3 as addressing s. 10.41 of the Basin Plan.	MET

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	future risks to the water resources in the WRP area		WRP ss. 3, 3.1, 3.2, 3.3, Tables 3-1, 3-3 Schedule D, s. 7, supporting information at Schedule D, Table 1-1	<p>Text for accreditation at s. 3 refers to s. 3, WRP Table 3-3 and s. 7 of Schedule D to demonstrate how the proposed WRP was prepared having regard to risks set out in s. 10.41(1) of the Basin Plan.</p> <p>Examination of s. 3 confirms it incorporates text for accreditation that set out:</p> <ul style="list-style-type: none"> the methods used to assess current and future risks (s. 3.1) risks and risk outcomes as set out in s. 3.2 and Table 3-1 risks identified by First Nations (Table 3-3) risks to other groundwater-dependent values (Schedule D, s. 7). <p>Supporting information in Table 1-1 of Schedule D maps the risks identified in the WRP to those specified in the Basin Plan.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
2	The development of the WRP had regard to the risks in letters (a)-(d) that are relevant to the WRP area	True	WRP s. 3 (including ss. 3.1–3.3) Supporting information at Schedule D, Table 1-1	Text for accreditation in WRP s. 3 identifies all accredited text in s. 3 (including WRP ss. 3.1–3.3) to show how the proposed WRP has had regard to risks listed in s. 10.41(2).	MET

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>Refer to the assessment below for how each of these matters has been addressed.</p> <p>Supporting information in Table 1-1 of Schedule D maps the risks identified in the proposed WRP to those specified in the Basin Plan.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
	The list of risks in s10.41(4) includes each of the risks specified as follows				
	(a) Risks to the capacity to meet environmental watering requirements is listed in s. 10.41(4)	True	<p>WRP s. 3.2</p> <p>WRP Table 3-1</p> <p>WRP s. 4.2</p> <p>Schedule D, Table 6-2, ss. 6.1.1, 6.2.1 – 6.2.2</p>	<p>Text for accreditation at s. 3.2 refers to Table 3-1 as identifying the list of risks to show how regard was had for risks at s. 10.41(2)(a) of the Basin Plan.</p> <p>Examination of risks coded as R9, R10, R11, R12, R13, R14 and QL6 confirms they are examples of the identified risks that address this requirement.</p> <p>Assessment of material incorporated into the proposed WRP to meet the requirements of s. 10.26 of the Basin Plan at s. 4.2 also refers to ss. 6.1.1, 6.2.1 – 6.2.2 and Table 6-2 in Schedule D as demonstrating how regard was had to EWRs of groundwater dependent PEAs and PEFs.</p>	

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>Section 6.1.1 of Schedule D sets out the context for environmental watering in NSW groundwater WRP areas and the links between:</p> <ul style="list-style-type: none"> the risk to the capacity of meeting EWRs the role of NSW long term water plans Chapter 8 of the Basin Plan <p>Table 6-2 of Schedule D sets out links between EWRs and related groundwater dependent ecosystem types.</p> <p>Examination of the cited sections listed above confirms the proposed WRP has been prepared having regard to risks to the capacity to meet environmental watering requirements.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
	(b) Risks arising from the matters referred to in subsection 10.20(1) are listed in s10.41(4), as follows:				
	Risks that may cause structural damage to an aquifer (within or outside the water resource plan area) arising from take within the long-term annual diversion limit for an SDL resource unit	True	<p>WRP ss. 3.1, 3.2</p> <p>WRP Table 3-1</p> <p>Schedule D, ss. 4.2 – 4.2.1, 4.3 – 4.3.1, 4.3.2, 4.6 – 4.6.1, 4.6.3, 4.7 – 4.7.1, 4.7.3</p>	<p>Text for accreditation at s. 3.2 refers to Table 3-1 as identifying the list of risks to show how regard was had for risks at s. 10.41(2)(b) of the Basin Plan.</p> <p>Examination of risks coded as R1, QL1 and QL2 confirms they are examples of the identified risks that address this requirement.</p>	

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>Text for accreditation at s. 3.1 identifies that these risks are considered in Schedule D as follows:</p> <ul style="list-style-type: none"> • R1 is considered in ss. 4.2 – 4.2.1, 4.3 – 4.3.1 and 4.3.2 • QL1 is considered in ss. 4.6 – 4.6.1 and 4.6.3 • QL2 is considered in ss. 4.7 – 4.7.1 and 4.7.3 <p>Examination of these sections of Schedule D included for accreditation confirms the proposed WRP discusses various elements of the risks that may cause structural damage to an aquifer, including relevant risks to connected resources.</p> <p>The Authority is satisfied the requirement has been met.</p>	
	Risks that may cause damage to hydraulic relationships and properties between groundwater and surface water systems, between groundwater systems, and within groundwater systems	True	<p>WRP ss. 3.1, 3.2</p> <p>WRP Table 3-1</p> <p>Schedule D, ss. 4.2 – 4.2.1, 4.3 – 4.3.1, 4.3.2, 4.4 – 4.4.1, 4.4.2, 4.5 – 4.5.1, 4.5.2, 4.7 – 4.7.1, 4.7.3, 5.2 – 5.2.1, 5.3 – 5.3.1, 5.3.2, 6.2 – 6.2.2, 6.6 – 6.6.1, 6.6.3</p>	<p>Text for accreditation at s. 3.2 refers to Table 3-1 as identifying the list of risks to show how regard was had for risks at s. 10.41(2)(b) of the Basin Plan.</p> <p>Examination of risks coded as R1, R2, R3, R4, QL2, and QL5 confirms they are examples of the identified risks that address this requirement.</p> <p>Text for accreditation at s. 3.1 identifies that these risks are considered in Schedule D as follows:</p>	

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
			Supporting information in Schedule D, s. 3.3	<ul style="list-style-type: none"> • R1 is considered in ss. 4.2 – 4.2.1, 4.3 – 4.3.1 and 4.3.2 • R2 is considered in ss. 4.2 – 4.2.1, 4.4 – 4.4.1 and 4.4.2 • R3 is considered in ss. 4.2 – 4.2.1, 4.5 – 4.5.1 and 4.5.2 • R4 is considered in ss. 5.2 – 5.2.1, 5.3 – 5.3.1 and 5.3.2 • QL2 is considered in ss. 4.7 – 4.7.1 and 4.7.3 • QL5 is considered in ss. 6.2 – 6.2.2, 6.6 – 6.6.1 and 6.6.3 <p>Examination of these sections of Schedule D included for accreditation confirms the proposed WRP discusses various elements of the risks that may cause damage to hydraulic relationships and properties as relevant to this requirement, including relevant risks to connected resources.</p> <p>Supporting information in s. 3.3 of Schedule D describes the level of connectivity with adjacent water resources and also considers matters relevant to this requirement.</p> <p>The Authority is satisfied the requirement has been met.</p>	

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	(c) Risks arising from potential interception activities	True	<p>WRP s. 3.2</p> <p>WRP Table 3-1</p> <p>Schedule D, ss. 5.2 – 5.2.1, 5.7 – 5.7.1, 5.7.2, 5.8 – 5.8.1, 5.8.3, 6.2 – 6.2.2, 6.4 – 6.4.2, 6.8 – 6.8.1, 6.8.3</p>	<p>Text for accreditation at s. 3.2 refers to Table 3-1 as identifying the list of risks to show how regard was had for risks at s. 10.41(2)(c) of the Basin Plan.</p> <p>Examination of risks coded as R8, R11, R12, QL4 and QL7 confirms they are examples of the identified risks that address this requirement.</p> <p>Section 3.1 identifies that these risks are considered in Schedule D as follows:</p> <ul style="list-style-type: none"> • R8 is considered in ss. 5.2 – 5.2.1, 5.7 – 5.7.1 and 5.7.2 • R11 and R12 are considered in ss. 6.2 – 6.2.2 and 6.4 – 6.4.2 • QL4 is considered in ss. 5.2 – 5.2.1, 5.8 – 5.8.1 and 5.8.3 • QL7 is considered in 6.2 – 6.2.2, 6.8 – 6.8.1 and 6.8.3 <p>Risk outcomes for growth in mining and plantation forestry are listed as 'low' and 'nil' respectively, with the ratings based on limited potential for any growth in either plantation forestry or mining and having existing arrangements in place to manage potential impacts.</p> <p>The Authority is satisfied the requirement has been met.</p>	

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	(d) Risks arising from elevated levels of salinity or other types of water quality degradation	True	<p>WRP ss. 3.1, 3.2</p> <p>WRP Table 3-1</p> <p>Schedule D, including ss. 4.2 – 4.2.1, 4.4 – 4.4.1, 4.4.2, 4.8 – 4.8.1 – 4.8.3, 6.2 – 6.2.2, 6.6 – 6.6.1, 6.6.3</p>	<p>Text for accreditation at s. 3.2 refers to Table 3-1 as identifying the list of risks to show how regard was had for risks at s. 10.41(2)(d) of the Basin Plan.</p> <p>Examination of risks coded as R2, QL3 and QL5 confirms they are examples of the identified risks and associated risk outcomes that address this requirement.</p> <p>Section 3.1 identifies that these risks are considered in Schedule D as follows:</p> <ul style="list-style-type: none"> • R2 is considered in ss. 4.2 – 4.2.1, 4.4 – 4.4.1 and 4.4.2 • QL3 is considered in ss. 4.8 and 4.8.2 – 4.8.3 • QL5 is considered in ss. 6.2 – 6.2.2, 6.6 – 6.6.1 and 6.6.3 <p>Examination of these sections of Schedule D included for accreditation confirms the proposed WRP discusses various elements of the risks arising from elevated levels of salinity or other water quality degradation.</p> <p>The Authority is satisfied the requirement has been met.</p>	
3	Risk identification had regard to risks in letters (a) and (b) as follows:				MET

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	Risks identified in s4.02:				
	Insufficient water available for the environment	True	WRP ss. 3, 3.2 WRP Tables 3-1, 3-3 Schedule D, ss. 3, 6, 7, supporting information in Schedule D, Table 1-1	<p>Text for accreditation at s. 3 refers to Table 3-3, s. 3 and s. 7 of Schedule D as identifying the list of risks to show how regard was had for risks at s. 10.41(3) of the Basin Plan.</p> <p>Examination of risks coded as R9, R10, R11, R12, R13, R14, QL6 and QL7 confirms they are examples of the identified risks that address this requirement.</p> <p>Supporting information at Table 1-1 of Schedule D identifies that risks of this type have been considered in s. 6 of Schedule D.</p> <p>Examination of the cited section confirms that Schedule D had regard to risks of insufficient water available for the environment in identifying risks.</p> <p>The Authority is satisfied the requirement has been met.</p>	
	Water being of a quality unsuitable for use	True	WRP s. 3.2 WRP Table 3-1 Schedule D, ss. 4, 6, supporting Information in Schedule D, Table 1-1	<p>Text for accreditation at s. 3.2 refers to Table 3-1 as identifying the list of risks to show how regard was had for risks at s. 10.41(3) of the Basin Plan.</p> <p>Examination of risks coded as QL3 and QL5 confirms they are examples of the identified risks that address this requirement.</p>	

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>Supporting information at Table 1-1 of Schedule D identifies that risks of this type have been considered in ss. 4 and 6 of Schedule D.</p> <p>Examination of the cited sections confirms that Schedule D had regard to risks of water being of a quality unsuitable for use in identifying risks.</p> <p>The Authority is satisfied the requirement has been met.</p>	
	Poor health of water-dependent ecosystems	True	<p>WRP s. 3.2</p> <p>WRP Table 3-1</p> <p>Schedule D, s. 6, supporting information in Schedule D, Table 1-1</p>	<p>Text for accreditation at s. 3.2 refers to Table 3-1 as identifying the list of risks to show how regard was had for risks at s. 10.41(3) of the Basin Plan.</p> <p>Examination of risks coded as R9, R10, R11, R12 and QL5 confirms they are examples of the identified risks that address this requirement.</p> <p>Supporting information in Table 1-1 of Schedule D identifies that risks of this type have been considered in s. 6 of Schedule D.</p> <p>Examination of the cited sections confirms that Schedule D had regard to risks of poor health of water-dependent ecosystems in identifying risks.</p> <p>The Authority is satisfied the requirement has been met.</p>	

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	Insufficient water is available, or water is not suitable for consumptive and other economic uses of Basin water resources	True	WRP s. 3.2 WRP Table 3-1 Schedule D, ss. 4, 5, supporting information in Schedule D, Table 1-1	<p>Text for accreditation at s. 3.2 refers to Table 3-1 as identifying the list of risks to show how regard was had for risks at s. 10.41(3) of the Basin Plan.</p> <p>Examination of risks coded as R1, R2, R3, R4, R5, R6, QL1, QL2 and QL3 confirms they are examples of the identified risks that address this requirement.</p> <p>Supporting information at Table 1-1 of Schedule D identifies that risks of this type have been considered in ss. 4 and 5 of Schedule D.</p> <p>Examination of the cited sections confirms that Schedule D had regard to risks relevant to this sub-section in identifying risks.</p> <p>The Authority is satisfied the requirement has been met.</p>	
	Insufficient water is available, or water is not suitable to maintain social, cultural, Indigenous and other public benefit values	True	WRP ss. 3, 3.2 WRP Tables 3-1, 3-3 Schedule D, s. 7 Schedule C, Attachments A, D – I, K, L, N, O:	<p>Text for accreditation at s. 3.2 refers to Table 3-1 as providing the list of risk assessment outcomes for the WRP area. The Authority notes, however, that no risks listed in Table 3-1 were examples of risk assessment outcomes that address this requirement.</p> <p>Text for accreditation at s. 3 references Table 3-3 and s. 7 of Schedule D show how regard was had for risks that address this requirement.</p> <p>Table 3-3 summarises risks identified by First Nations during consultation. The Authority has compared these risks to those set out in the Nation Reports at</p>	

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>Attachments A, D – I, K, L, N, O of Schedule C and is satisfied Table 3-3 is an accurate summary of the risks identified and demonstrates regard for risks of insufficient water, or water not being of a suitable quality, to maintain Indigenous values.</p> <p>Section 7 of Schedule D indicates that the consideration of risks associated with this requirement was limited as relevant methodologies are under development and the relationships between groundwater and these values are generally indirect. Section 7 also points to links between a number of public benefit values and ground water availability and quality which have been assessed quantitatively.</p> <p>Consequently, while this risk has not been quantitatively assessed through the risk assessment, the Authority is satisfied that these risks have been given appropriate regard during the risk identification process and relationship between these risks and other quantified risks has been included. There is sufficient information provided in the risk assessment to show that these matters have been considered as far as practicable given the available information and methodologies.</p> <p>The Authority is satisfied the requirement has been met.</p>	

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	Guidelines published by the Authority in relation to risk identification and risk assessment	Test turned off	WRP s. 3	Text for accreditation at s. 3 states: no guidelines have been published by the Authority in relation to risk identification and risk assessment under s 4.02 of the Basin Plan. As no such guidelines have been published by the Authority therefore, this test has been turned off.	
4	The list of risks includes all current and future risks as described in subsection (1)-(3)	True	WRP s. 3.2 WRP Table 3-1, Table 3-3 Schedule D, s. 7	Text for accreditation at WRP s. 3.2 incorporates WRP Table 3-1 for details about risk assessment outcomes. As noted in the assessment for s. 10.41(3)(a), risks associated with 'Insufficient water is available, or water is not suitable to maintain social, cultural, Indigenous and other public benefit values' (as listed in s. 4.02(2)(b) of the Basin Plan), have not been separately included in the list of risks provided in Table 3-1. The Authority is satisfied that the material provided in WRP Table 3-3 lists risks to Indigenous values and uses, and the material in s. 7 of Schedule D provides an appropriate rationale why other risks have not been included in the list of risks in WRP Table 3-1. The Authority is satisfied the requirement has been met.	MET

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
5	Each of the risks listed in subsection (4) has been assessed according to the State's chosen risk assessment method	True	<p>WRP ss. 3.1 and 3.2</p> <p>WRP Table 3-1, Table 3-3</p> <p>Schedule D, ss. 2.2, 2.3, 4.1, 5.1, 6.1, 7</p> <p>Supporting information in Schedule D, s. 1.2</p>	<p>Text for accreditation at s. 3.1 incorporates ss. 2.2, 2.3, 4.1, 5.1, 6.1 and 7 of Schedule D as a demonstration of how risks have been assessed.</p> <p>Section 3.2 states that WRP Table 3-1 lists the risk assessment outcomes.</p> <p>Supporting information in s. 1.2 of Schedule D indicates that the risk assessment method includes five steps including listing an impact pathway, identifying the likelihood and consequence metrics, providing a summary of the data and methods used to support the likelihood and consequence metrics, combining these metrics to derive overall risk ratings, and listing strategies appropriate for managing these risks. Sections 2.2 and 2.3 provide more detail on the framework and the scope of the risk assessment.</p> <p>Examination of the sections cited above confirms the approach to assessing each risk listed in Table 3-1 is consistent with the state's primary risk assessment method.</p> <p>In addition, a qualitative assessment of the risks has been undertaken for risks associated with s. 4.02(2)(b) of the Basin Plan, as listed in s. 7 of Schedule D and WRP Table 3-3.</p> <p>The Authority is satisfied the requirement has been met.</p>	MET

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
6	Each of the risks listed in subsection (4) is rated as 'low', 'medium' or 'high'	True	WRP s. 3.2 WRP Table 3-1, Table 3-3 Schedule D, s. 7	<p>Text for accreditation at s. 3.2 incorporates Table 3-1 as demonstration that each identified risk has been rated as including 'low', 'medium' and 'high'.</p> <p>Examination of Table 3-1 indicates that for some risks, the risk outcomes have been listed as either 'Nil', 'Nil-QAL' or Low-QAL.</p> <p>As noted above, while not formally assessed and given the risk ratings listed in this subsection, a qualitative assessment of risks associated with s 4.02(2)(b) has been undertaken (as listed in s. 7 of Schedule D and WRP Table 3-3).</p> <p>The Authority is satisfied the requirement has been met.</p>	MET
	If used, additional categories of risk rating are appropriate to the State's chosen risk assessment method	True	WRP s. 3.1 WRP Table 3-1 Schedule D, ss. 4.2-4.2.1, 4.6-4.6.1, 4.6.3, 4.7-4.7.1, 4.7.3, 4.8, 4.8.1, 4.8.2-4.8.3, 5.2-5.2.1, 5.7-5.7.1, 5.7.2, 6.2-6.2.2, 6.4-6.4.2, 6.6-6.6.1, 6.6.3, 6.7-6.7.1, 6.7.3	<p>Table 3-1 uses an additional risk categories of 'Nil', 'Nil-QAL' and Low-QAL. Examination of the sections of Schedule D incorporated for accreditation at WRP s. 3.1 (ss. 4.2-4.2.1, 4.6-4.6.1, 4.6.3, 4.7-4.7.1, 4.7.3, 4.8, 4.8.1, 4.8.2-4.8.3, 5.2-5.2.1, 5.7-5.7.1, 5.7.2, 6.2-6.2.2, 6.4-6.4.2, 6.6-6.6.1, 6.6.3, 6.7-6.7.1, 6.7.3) to describe how risks listed in Table 3-1 have been assessed confirms that the 'nil' rating is used where the risk assessment has found that no impact pathway exists for a risk to manifest.</p> <p>Further, with respect to the 'QAL' category, examination of the sections of Schedule D incorporated for accreditation at s. 3.1 to describe</p>	

Sub-section	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>how risks listed in Table 3-1 have been assessed confirms that the addition of the 'QAL' rating to a risk outcome is used to indicate a qualitative assessment of the risk has been made, because of insufficient data for a quantitative assessment.</p> <p>As such, the Authority has taken the categories 'Nil-QAL' and 'Low-QAL' to be references to a 'Nil' or 'Low' risk outcome based on a qualitative assessment.</p> <p>Therefore the Authority is satisfied that use of 'Nil', 'Nil-QAL' or 'Low-QAL' as a category for defining risk level is appropriate to NSW's chosen risk assessment method.</p> <p>The Authority is satisfied the requirement has been met.</p>	
7	The data and method used to identify and assess risks is described	True	<p>WRP ss. 1.3.1 and 3.1</p> <p>WRP Table 3-1</p> <p>Schedule C, Attachments A, D – I, K, L, N, O</p> <p>Schedule D, ss. 2.2, 2.3, 4.1, 5.1, 6.1, 7, Table B-1 in Appendix B</p> <p>Text for accreditation at WRP s. 3.1 incorporates Schedule D Table B-1 in Appendix B and ss. 2.2, 2.3, 4.1, 5.1, 6.1 and 7 to identify the data and methods used to identify and assess risks. WRP s. 1.3.1 indicates that risks to Aboriginal uses and values was identified through consultation with First Nations people and are included in Schedule C Attachments A, D – I, K, L, N, O.</p> <p>Examination of the cited table and sections, which are incorporated to form part of the proposed WRP, confirms that the proposed WRP describes the data</p>	MET

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>and methods used to identify and assess the risks listed in WRP Table 3-1.</p> <p>In addition, a qualitative assessment of the risks has been undertaken for risks associated with s. 4.02(2)(b) of the Basin Plan, as listed in s. 7 of Schedule D and WRP Table 3-3.</p> <p>As such, the Authority is satisfied the supporting information justifies why no data or methods for these risks is listed in the proposed WRP.</p> <p>The Authority is satisfied the requirement has been met.</p>	
8	Where uncertainties about risks are quantified, a description of the quantification methods is provided	Test turned off	<p>WRP s. 3.1</p> <p>Schedule D. ss. 2.4, 4.2.1, 4.3.2, 4.4.2, 4.5.2, 4.6.1, 4.7.1, 4.8.3, 5.2.1, 5.3.2, 5.4.2, 5.5.2, 5.6.2, 5.7.2, 5.8.1, 6.2.1, 6.2.2, 6.2.3, 6.3.2, 6.4.2, 6.5.2, 6.6.1, 6.7.1, 6.8.1</p>	<p>Text for accreditation at WRP s. 3.1 states that ss. 2.4, 4.2.1, 4.3.2, 4.4.2, 4.5.2, 4.6.1, 4.7.1, 4.8.3, 5.2.1, 5.3.2, 5.4.2, 5.5.2, 5.6.2, 5.7.2, 5.8.1, 6.2.1, 6.2.2, 6.2.3, 6.3.2, 6.4.2, 6.5.2, 6.6.1, 6.7.1, and 6.8.1 of WRP Schedule D (outline the limitations and uncertainties associated with the level of risk attributed to each risk.</p> <p>Text for accreditation at s. 3.1 indicates that while the limitations and uncertainties are listed in the sections of Schedule D cited above, these uncertainties were not quantified, and therefore s. 10.41(8) is not applicable to the proposed WRP.</p> <p>As the uncertainties about the risks have not been quantified, a description of the quantification</p>	Not applicable

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				methods is not required in the proposed WRP. As such, this test has been turned off.	
	Where sensitivity analysis is used, the results are provided	Test turned off	WRP s. 3.1	<p>Text for accreditation at s. 3.1 states that</p> <p>No quantitative sensitivity analysis was undertaken regarding the uncertainties in the level of risk attributed to each risk. As such, the requirement at s. 10.41(8) is not applicable to this WRP.</p> <p>The Authority is satisfied that no sensitivity analysis has been used and that therefore this requirement is not applicable to the proposed WRP. Therefore, this test has been turned off.</p>	

Section 10.42 – Description of risks

A water resource plan must describe:

- (a) each risk which is defined in accordance with subsection 10.41(6) as having a medium or higher level of risk; and
- (b) factors that contribute to those risks.

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
(a)	The WRP describes each of the risks defined as having a medium or higher level of risk	True	Schedule B WRP s. 3.2 WRP Table 3-1 Schedule D	<p>Schedule B refers to WRP s. 3.2 as addressing s. 10.42 of the Basin Plan.</p> <p>Text for accreditation at s. 3.2 incorporates WRP Table 3-1 to provide a list of risks and the risk assessment outcomes.</p> <p>Examination of Table 3-1 confirms that all risks defined as medium or higher are identified. Each risk is described in sections of Schedule D identified in the assessment of s. 10.41 of the Basin Plan in the preceding tests.</p> <p>The Authority is satisfied the requirement has been met.</p>	MET
(b)	The WRP describes the factors that contribute to those risks	True	WRP s. 3.2 WRP Table 3-1 Schedule D, Figures 4-1 to 4-8, 5-1 to 5-7, 6-1, 6-6 to 6-11	<p>Section 3.2 states that:</p> <p>Figures 4-1 to 4-8, 5-1 to 5-7, 6-1 and 6-6 – 6-11 of the NSW MDB Porous Rock Risk Assessment (GW6 WRPA) (Schedule D) details factors that contribute to the medium or high risks.</p> <p>Examination of the referenced figures in Schedule D confirms that the proposed WRP describes factors that contribute to risks identified as medium or higher in Table 3-1.</p> <p>The Authority is satisfied the requirement has been met.</p>	

Section 10.43 – Strategies for addressing risks

- (1) If a water resource plan defines a risk in accordance with subsection 10.41(6) as having a medium or higher level of risk, the water resource plan must either:
 - (a) describe a strategy for the management of the water resources of the water resource plan area to address the risk in a manner commensurate with the level of risk; or
 - (b) explain why the risk cannot be addressed by the water resource plan in a manner commensurate with the level of risk.
- (2) If the water resource plan identifies a risk which relates to a matter dealt with by a requirement in another Part of this Chapter, the strategy must take account of that requirement.
- (3) A water resource plan must be prepared having regard to:
 - (a) the strategies listed in subsection 4.03(3); and
 - (b) any guidelines published by the Authority in accordance with section 4.04.

Note: The Authority may publish guidelines in accordance with section 4.04 in relation to the implementation of strategies to manage or address risks identified in section 4.02.

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	Each risk rated as 'medium' or higher has either:				MET
	(a) a description of a strategy for management of the water resources that addresses the risk in a manner that is commensurate with the level of risk	True	Schedule B WRP s. 3.3 WRP Table 3-1 Schedule D, Table 8-7, Table 8-8, supporting information in Schedule D, Consolidated risk tables	Schedule B refers to WRP s. 3.3 as addressing s. 10.43 of the Basin Plan. Section 3.3 incorporates columns one, five and six of Table 8-7 and Table 8-8 in Schedule D. Examination of Table 8-7 in Schedule D confirms that it identifies each risk (column five) in WRP Table 3-1 with a risk rated medium or higher, the relevant strategy (column one) and relevant Basin Plan requirements	

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>(column six). Table 8-8 provides further explanation of the codes used in Table 8-7.</p> <p>Supporting information in the consolidated risk tables in Schedule D also set out each risk that has been identified, the rating for that risk and the strategies put forward to mitigate the risk.</p> <p>This material demonstrates that risks rated as 'medium' or higher are subject to strategies for addressing the risks in a commensurate manner, and that the strategies are described in the proposed WRP.</p> <p>The Authority is satisfied the requirement has been met.</p>	
	(b) an explanation of why the risk cannot be addressed by the WRP in a manner that is commensurate with the level of risk	True	WRP s. 3.3 Schedule D, Table 8-1, Table 8-3	<p>Text for accreditation at WRP s. 3.3 incorporates Tables 8-1 and 8-3 in Schedule D as providing explanations for risks that cannot be addressed by the proposed WRP in a commensurate manner.</p> <p>Examination of Table 8-3 confirms that it sets out the rationale for why risks are tolerable or cannot be addressed by the proposed WRP in a manner commensurate with the level of risk. Table 8-1 provides an explanation of the codes used in Table 8-3.</p> <p>The Authority is satisfied the requirements have been met.</p>	

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
2	All other parts under Chapter 10 that have provisions to deal with a risk are identified	True	WRP s. 3.3 Schedule D, Table 8-7	Text for accreditation at WRP s. 3.3 incorporates column six of Table 8-7 in Schedule D. Examination of column six of Table 8-7 confirms that it identifies how strategies address each of the risk requirements in Chapter 10 of the Basin Plan. Therefore, this requirement has been met.	MET
	The strategies in this s10.43(2) take account of the requirement under those other Chapter 10 parts	True	WRP s. 3.3 Schedule D, Table 8-7	Text for accreditation at WRP s. 3.3 refers to Table 8-7 of Schedule D as identifying strategies against other parts of Chapter 10 that deal with related matters. Examination of columns one, five and six of Table 8-7 confirms it describes how each strategy takes account of relevant matters. The description includes matters that relate to other parts of Chapter 10. Therefore, this requirement has been met.	
3	The preparation of the WRP had regard to:				MET
	(a) the strategies listed in subsection 4.03(3) <i>and</i>	True	WRP ss. 2.1 and 3.3 WRP Schedule D (Risk Assessment), Column 6 in Table 8-7	Text for accreditation at s. 3.3 identifies column six of Table 8-7 in Schedule D as a demonstration that the proposed WRP was developed having regard to the strategies listed in s. 4.03(3) of the Basin Plan. Examination of column six of Table 8-7 confirms it identifies which of the s. 4.03(3) strategies relate to the strategies provided to manage risk in the WRP area. Text for accreditation states that the strategy listed under s. 4.03(3)(d), 'to manage flows to optimise	

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>outcomes across the range of water uses in the Murray-Darling Basin' has not been addressed in the proposed WRP or risk assessment as it only relates to surface water. The Authority is satisfied that s. 4.03(3)(d) is applicable only to surface water resources, and as established for the purposes of s. 10.02 via blue box text for WRP s. 2.1, the proposed WRP only applies to groundwater resources. The Authority considers this identification of the proposed WRP as only applying to groundwater resources as evidence of sufficient regard being had to s. 4.03(3)(d) in preparation of the proposed WRP.</p> <p>The Authority is satisfied the requirement has been met.</p>	
	(b) guidelines published by the Authority in accordance with section 4.04	Test turned off	WRP s. 3.3	Text for accreditation at s. 3.3 states that no guidelines have been published by the Authority in relation to risk strategies under s. 4.04 of the Basin Plan. No such guidelines have been published by the Authority and therefore this test has been turned off.	

Part 10 Measuring and monitoring

Section 10.44 – Information relating to measuring take – water access rights

A water resource plan must include the following information in relation to each class of water access right relating to the water resources of the water resource plan area:

- (a) the best estimate of the total long-term annual average quantity of water taken that is measured;
- (b) the best estimate of the total long-term annual average quantity of water taken that is not measured;
- (c) how the quantities under paragraphs (a) and (b) were calculated;
- (d) the proportion of the quantity referred to in paragraph (a) that is measured in accordance with standards for measuring agreed by the Basin States and the Commonwealth.

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	The WRP includes the information as described in letters (a) to (d) for each class of water access right that apply to the water resources of the WRP area:				MET
(a)	(a) the best estimate of the total long-term annual average quantity of water taken that is metered	True	Schedule B WRP s. 7.1, Table 7-1	Schedule B refers to WRP s. 7.1 as addressing s. 10.44 of the Basin Plan. Text for accreditation at s. 7.1 refers to WRP Table 7-1 as containing the best estimate of the total long-term annual average quantity of water taken that is measured for each class of water access right that apply to the water resources of the WRP area.	

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>Examination of Table 7-1 confirms it sets out volumes for the long-term annual average quantity of water taken that is measured for each class of access right.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
(b)	(b) the best estimate of the total long-term annual average quantity of water taken that is not metered	True	WRP s. 7.1, Table 7-1	<p>Text for accreditation at WRP s. 7.1 refers to WRP Table 7-1 as containing the best estimate of the total long-term annual average quantity of water taken that is not measured for each class of water access right that apply to the water resources of the WRP area.</p> <p>Examination of Table 7-1 confirms it sets out volumes for the long-term annual average quantity of water taken that is not measured for each class of water access right.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
(c)	(c) how the quantities under letters (a) and (b) were calculated	True	WRP s. 7.1, Table 7-1 Schedule I	<p>Text for accreditation at WRP s. 7.1 refers to WRP Table 7-1 as showing how the quantities under letters (a) and (b) were calculated.</p> <p>Examination of Table 7-1 confirms it sets out the calculation method for each class of water access right.</p> <p>For take by classes of water access right that are measured, the method is a metered average over the periods 2000/01 to 2015/16 or 2005/06 to 2015/16.</p> <p>For take by classes of water access right that are not measured, the method is as specified in the relevant section of Schedule I.</p>	

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>Examination of Schedule I finds it provides information about how annual actual take is determined for each class of water access right. Measured actual take is measured in accordance with the relevant regulation and associated metering policies and practices. For non-measured actual take the relevant method is to assume full utilisation of the total annual volume of take permissible for domestic and stock access licences and basic rights or to apply a utilisation factor to the unmetered entitlement volume for all other access licences. The total permitted volume for domestic and stock basic rights is calculated using detailed methodologies involving census, geo-spatial and other relevant data. For Native Title basic rights it is an allowable volume or an estimated volume for any determination under the Native Title Act 1993.</p> <p>As such, the WRP has set out how:</p> <ul style="list-style-type: none"> • Annual actual take is measured • Long-term average annual quantities of take that are measured have been calculated, by averaging measured annual volumes over specified periods • Long-term average annual quantities of take that are not measured have been calculated through reference to the methods in Schedule I. <p>The Authority is satisfied that the requirement has been met.</p>	

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
(d)	(d) the proportion of the quantity metered take of water that apply the standards for metering agreed by the Basin States and the Commonwealth	True	WRP s. 7.1	<p>Text for accreditation at WRP s. 7.1 identifies the proportion of measured take that is done so in accordance with the agreed standard, which is 0% at the commencement of this Plan. Meter verification has not been completed.</p> <p>The Authority notes the Murray–Darling Basin Compliance Compact confirms the agreement between the Commonwealth and the Basin States to adopt Australian Standard 4747 as the agreed standard for measuring.</p> <p>The Authority is satisfied that the requirement has been met.</p>	

Section 10.45 – Supporting measuring

- (1) A water resource plan must specify measures for maintaining and, if practicable, improving:
- (a) the proportion of take that is measured in the water resource plan area; and
 - (b) the standard to which take is measured.
- (2) The water resource plan must specify the timeframe for implementing the measures.

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP specifies arrangements that ensures metered take remains stable or improves over time, as follows:				MET
1(a)	(a) the proportion of take that is metered in the WRP area	True	<p>Schedule B</p> <p>WRP s. 7.1</p> <p>Schedule A: NSW MDB Porous Rock Groundwater WSP 2020, Pt 11, Divs 1, 2; cls 55 to 57</p> <p>WMA 2000, ss. 91H, 91I, 91J, 91K, 101A, 115</p> <p>WM Regulation 2018, Pt 10, cls 229 to 234, Div 3, Schedule 8</p>	<p>Schedule B identifies WRP s. 7.1 as addressing s. 10.45 of the Basin Plan.</p> <p>Text for accreditation at s. 7.1 refers to the following provisions:</p> <ul style="list-style-type: none"> • Divisions 1 and 2 of Part 11 and cls 55 to 57 of Schedule A • ss. 91H, 91I, 91J, 91K, 101A and 115 of the WMA 2000 • cls 229 to 234 and Division 3 of Part 10, and Schedule 8 of WM Regulation 2018 <p>Examination of the cited provisions confirm they establish and maintain mandatory conditions on access licences and water supply works approvals, and penalties and obligations on water access right holders, with respect to the installation, maintenance and use of metering equipment. Also, the provisions</p>	

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>incorporated under the WM Regulation 2018 establish new metering requirements that took full effect in December 2021 and improve the proportion of take that is measured to an appropriate standard.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
1(b)	the standard to which take is measured	True	<p>WRP s. 7.1</p> <p>WM Regulation 2018, Pt 10, Div 3, Schedule 8</p>	<p>Text for accreditation at WRP s. 7.1 states that Division 3 of Part 10 and Schedule 8 of the WM Regulation 2018 specify the standard to which take must be measured.</p> <p>Examination of the cited provisions confirm that they require that all new and replacement meters installed from 1 April 2019 must be pattern-approved and installed by a duly qualified person in accordance with the requirements of Australian Standard 4747.</p> <p>From December 2021, users with existing meters on works must ensure the meters are either pattern-approved and validated by a duly qualified person or meet requirements for accuracy. A data-logger and tamper-evident seals will be required on all works.</p> <p>The Authority is satisfied that the requirement has been met.</p>	

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	Where the WRP does not specify arrangements to improve metering in relation to letters (a) and (b), the WRP provides a logic and rationale that addresses practicality	Test turned off	Not applicable	Assessment has confirmed that arrangements to improve metering are in place. Therefore, this requirement does not need to be met.	
2	Where arrangements to improve metering are not yet implemented, the WRP specifies the timeframes for implementation	True	WRP s. 7.1 WM Regulation 2018, Pt 10, cls 229 to 234, Div 3, Schedule 8	Text for accreditation at WRP s. 7.1 incorporates cls 229 to 234 and Division 3 of Part 10, and Schedule 8 of WM Regulation 2018. Examination of these provisions confirm that they establish new metering requirements that take full effect by December 2021. The Authority is satisfied that the requirement has been met.	MET

Section 10.46 – Monitoring water resources

- (1) A water resource plan must specify the monitoring of the water resources of the water resource plan area that will be done to enable the Basin State to fulfil its reporting obligations under section 13.14.
- (2) Nothing in this section limits the capacity of the Basin State to conduct other monitoring of the water resources of a water resource plan area.

Sub-section	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP specifies monitoring of water resources	True	<p>Schedule B</p> <p>WRP s. 7.2, Table 7-2</p> <p>Schedule H</p> <p>Schedule B refers to WRP s. 7.2 as addressing s. 10.46 of the Basin Plan.</p> <p>Text for accreditation at s. 7.2 refers to WRP Table 7-2 as specifying the monitoring of the groundwater resource levels and groundwater dependent ecosystem extent and condition within the WRP area.</p> <p>Examination of Table 7-2 confirms it specifies the types of monitoring, relevant SDL resource units, monitoring sites as specified in Schedule H, the relevant risks and the relevant matters from Schedule 12 of the Basin Plan.</p> <p>The Authority is satisfied that the requirement has been met.</p>	MET
	The monitoring is specified in terms of the State's reporting obligation under s13.14/Schedule 12 (exhaustive)	True	<p>WRP s. 7.2, Table 7-2</p> <p>Text for accreditation at WRP s. 7.2 states that the monitoring set out in WRP Table 7-2 will contribute to enabling NSW to fulfil its reporting obligations under s. 13.14 and matters 4, 8, 9, 10, 12, 14, 18 and 19 of Schedule 12 of the Basin Plan.</p> <p>Examination of Table 7-2 confirms it specifies the relevant matters from Schedule 12 of the Basin Plan related to each type of monitoring.</p>	

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				The Authority is satisfied that the requirement has been met.	
	The monitoring specified will enable the State to fulfil its reporting obligations under s13.14/Schedule 12	True	WRP Table 7-2	Examination of the monitoring specified in WRP Table 7-2 confirms that it will enable NSW to fulfil its reporting obligations under s. 13.14/Schedule 12 of the Basin Plan. The Authority is satisfied that the requirement has been met.	
2	Subsection 2 is not assessed				

Part 11 Review of water resource plans

Section 10.47 – Review of water resource plans

A water resource plan must require that if a review of the plan (or a part of the plan) is undertaken, the report of the review must be given to the Authority within 30 days after the report is completed.

Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
The WRP provides for a review report to be given to the MDBA within 30 days of the report being completed	True	Schedule B WRP s. 1.8	Schedule B refers to WRP s. 1.8 as addressing s. 10.47 of the Basin Plan. Text for accreditation in s. 1.8 states that if a review of the WRP is undertaken, the report of that review will be given to the MDBA within 30 days of the report being completed. The Authority is satisfied that the requirement has been met.	MET

Section 10.47A – Additional requirements for Western Porous Rock, Gunnedah-Oxley Basin MDB, Sydney Basin MDB and Goulburn-Murray: Sedimentary Plain SDL resource units

If a review of the relevant water resource plan in relation to any of the Western Porous Rock, Gunnedah-Oxley Basin MDB, Sydney Basin MDB or Goulburn-Murray: Sedimentary Plain SDL resource units is undertaken, the review must assess:

- (a) the effectiveness of the implementation of the rules of the water resource plan; and
- (b) the extent to which the rules achieve the objectives mentioned in sections 10.21 and 10.35C.

Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
The WRP applies to any of the following SDL resource units: <ul style="list-style-type: none"> - Western Porous Rock - Gunnedah-Oxley Basin MDB - Sydney Basin MDB - Goulburn-Murray: Sedimentary Plain 	True	Schedule B WRP ss. 1.8, 2.1	<p>Schedule B refers to WRP s. 1.8 as addressing s. 10.47A of the Basin Plan.</p> <p>Text for accreditation in s. 1.8 states that if a review of the WRP is undertaken, the review must assess the effectiveness of the implementation of the rules of the WRP and the extent to which the rules achieve the objectives outlined in ss. 10.21 and 10.35C of the Basin Plan.</p> <p>Assessment of material in WRP s. 2.1 to meet the requirements of s. 10.03 of the Basin Plan (identification of SDL resource units) has confirmed that the following SDL resource units from Schedule 4 of the Basin Plan are included in the NSW Murray–Darling Basin Porous Rock WRP area:</p> <ul style="list-style-type: none"> • Western Porous Rock (GS50) • Gunnedah-Oxley Basin MDB (GS17) 	MET

Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
			<ul style="list-style-type: none">Sydney Basin MDB (GS41). <p>The Authority is satisfied that the requirement has been met.</p>	
If ‘yes’, the review of the WRP has assessed:				
(a) the effectiveness of the implementation of the rules of the water resource plan	True	WRP s. 1.8	<p>Text for accreditation in s. 1.8 states that if a review of the WRP is undertaken, the review must assess the effectiveness of the implementation of the rules of the WRP.</p> <p>Therefore, the proposed WRP includes an obligation to ensure that a future review of the WRP would consider the matters as required for the purposes of this requirement.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
(b) the extent to which the rules achieve the objectives mentioned in sections 10.21 and 10.35C	True	WRP s. 1.8	<p>Text for accreditation in s. 1.8 states that if a review of the WRP is undertaken, the review must assess the extent to which the rules achieve the objectives outlined in section 10.21 and 10.35C of the Basin Plan.</p> <p>Therefore, the proposed WRP includes an obligation to ensure that a future review of the WRP would consider the matters as required for the purposes of this requirement.</p> <p>The Authority is satisfied that the requirement has been met.</p>	

Section 10.48 – Amendment of water resource plan

A water resource plan must require a Basin State that proposes an amendment to the plan arising from a review to give the reasons for the amendment to the Authority.

Note: See also section 65 of the Act.

Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
The WRP provides for a proposed amendment to state the reasons for that amendment	True	Schedule B WRP s. 1.8	<p>Schedule B refers to WRP s. 1.8 as addressing s. 10.48 of the Basin Plan.</p> <p>Text for accreditation in s. 1.8 states that if a review of the WRP results in a proposed amendment to any accredited provision, the reasons for the amendment will be provided to the MDBA.</p> <p>The Authority is satisfied that the requirement has been met.</p>	MET

Part 12 Information used to prepare water resource plan

Section 10.49 – Best available information

(1) A water resource plan must be based on the best available information.

(2) The water resource plan must identify and describe the significant sources of information on which the water resource plan is based.

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The development of the WRP has been based on the best available information	True	Schedule B WRP s. 8 including supporting information Schedule G, Table G-1	<p>Schedule B refers to WRP s. 8 as addressing s. 10.49 of the Basin Plan.</p> <p>Text for accreditation at s. 8 states that the best available information has been used in the development of the WRP.</p> <p>Text for accreditation at s. 8 also states that Table G-1 of Schedule G identifies and describes information and methods used in developing the WRP that are not otherwise explicitly identified and described elsewhere in the WRP.</p> <p>Examination of Table G-1 confirms it describes data sets and methods used in formulation of the proposed WRP.</p> <p>Further, the text for accreditation states that information and methods explicitly identified and described elsewhere in the WRP should be read as additional information and methods.</p> <p>Supporting information at s. 8 states that additional information and methods explicitly identified and described elsewhere include information contained in:</p> <ul style="list-style-type: none"> Schedule C - Aboriginal issues, values and objectives 	MET

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<ul style="list-style-type: none"> • Schedule D - Risk assessment • Schedule E - Extreme events • Schedule F - Water quality management plan • Schedule H - Environmental monitoring, reporting and evaluation • Schedule I - Water take, measurement and estimation of usage. <p>Assessment against other requirements of Chapter 10 of the Basin Plan confirms that the relevant parts of the above Schedules have been incorporated into the proposed WRP and that the proposed WRP has been based on the best available information.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
2	The WRP references the significant sources of information used to develop the plan	True	WRP s. 8 Schedule G, Table G-1	<p>Text for accreditation at WRP s. 8 states that Table G-1 of Schedule G identifies and describes information and methods used in developing the WRP that are not otherwise explicitly identified and described elsewhere in the WRP.</p> <p>Examination of Table G-1 confirms it lists significant sources of information used to develop the proposed WRP and includes a brief description of each of the information sources.</p> <p>The Authority is satisfied that the requirement has been met.</p>	MET

Section 10.50 – Methods used to develop water resource plan

A water resource plan must identify any significant method, model or tool that has been used to develop the water resource plan.

Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
The WRP identifies the significant methods, models and tools used to develop plan	True	Schedule B WRP s. 8 Schedule G, Table G-1	<p>Schedule B refers to WRP s. 8 as addressing s. 10.50 of the Basin Plan.</p> <p>Text for accreditation at s. 8 states that Table G-1 of Schedule G identifies and describes information and methods used in developing the WRP that are not otherwise explicitly identified and described elsewhere in the WRP.</p> <p>Examination of Table G-1 confirms that it identifies significant methods, models and tools used to develop the proposed WRP.</p> <p>The Authority is satisfied that the requirement has been met.</p>	MET

Part 13 Extreme events

Section 10.51 – Measures in response to extreme events

- (1) A water resource plan must describe how the water resources of the water resource plan area will be managed during the following types of events:
- (a) an extreme dry period;
 - (b) a water quality event of an intensity, magnitude and duration that is sufficient to render water acutely toxic or unusable for established local uses and values;
 - (c) any type of event that has resulted in the suspension of a statutory regional water plan in the past 50 years (including a transitional water resource plan or interim water resource plan).
- (2) If an event of a type listed in subsection (1) would compromise a Basin State's ability to meet critical human water needs in the water resource plan area, the water resource plan must set out measures to meet critical human water needs during such an event.
- (3) The water resource plan must provide that, if new scientific information suggests a change in the likelihood of an event of a type listed in subsection (1) occurring (for example, due to climate change), consideration must be given to whether, as a result of this new information, the water resources should be managed differently.

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP describes how water resources will be managed during:			Refer to the assessment below for details of how each of the matters at ss. 10.51(1)(a), 10.51(1)(b) and 10.51(1)(c) have been addressed.	MET
1(a)	an extreme dry period	True	Schedule B WRP s. 5.9	Schedule B identifies WRP s. 5.9 as addressing the requirements of s. 10.51 of the Basin Plan. Text for accreditation at s. 5.9 refers to Schedule E ss. 1.1, 2 and 3 as describing the management of	

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
			Schedule E, ss. 1.1, 2, 3, including Table 3-1	<p>groundwater resources in the WRP area during an extreme dry period.</p> <p>Examination of the cited sections in Schedule E confirms they:</p> <ul style="list-style-type: none"> define 'extreme dry period' in the context of groundwater management (s. 1.1) describe how the degree of criticality of an extreme dry period will be identified and what will inform groundwater resource management response decisions (ss. 2 and 3) describe a suite of management response options that correspond to the escalating levels of risk to normal water management arrangements that may be adopted under an extreme water quantity event (s. 3, including Table 3-1). <p>The Authority is satisfied that the requirement has been met.</p>	
1(b)	a water quality event that is sufficient to render water acutely toxic or unusable for established local uses and values	True	WRP s. 5.9 Schedule E, ss. 1.1, 2, 3, including Table 3-2	Text for accreditation at s. 5.9 refers to Schedule E ss. 1.1, 2 and 3 as describing the management of groundwater resources in the WRP area during a water quality event that is sufficient to render water acutely toxic or unusable for established local uses and values.	

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>Examination of the cited sections in Schedule E confirms they:</p> <ul style="list-style-type: none"> describe what may constitute an extreme water quality event (s. 1.1) describe how the degree of severity of an extreme water quality event will be identified and what will inform groundwater resource management response decisions (ss. 2 and 3) describe a suite of management response options that correspond to the escalating levels of risk to normal water management arrangements that may be adopted under an extreme water quality event (s. 3, including Table 3-2). <p>The Authority is satisfied that the requirement has been met.</p>	
1(c)	The WRP identifies that there has been an event in the past 50 years that resulted in the suspension of a statutory regional plan	False	WRP s. 5.9	<p>Text for accreditation at s. 5.9 states that there has been no suspension of a statutory regional water plan that applies to the water resources in the NSW Murray-Darling Basin Porous Rock WRP within the last 50 years.</p> <p>The Authority is satisfied that the requirement has been met.</p>	

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	If yes, the WRP describes how water resources will be managed during such events	Test turned off	Not applicable	<p>This assessment has found that an event that has required suspension of a regional statutory water plan relevant to the water resource plan area has not occurred in the past 50 years.</p> <p>Therefore, this requirement is not applicable.</p>	
	If no, the WRP states that such an event has not occurred.	True	WRP s. 5.9	<p>Text for accreditation at s. 5.9 states that no such event has occurred.</p> <p>The Authority is satisfied that the requirement has been met.</p>	
2	One or more events listed under s10.51(1) have potential to compromise the State's ability to meet critical human water needs in the plan area			<p>The proposed WRP is not explicit about whether any of the events listed under s. 10.51(1) of the Basin Plan have the potential to compromise the State's ability to meet critical human water needs in the NSW Murray-Darling Basin Porous Rock WRP area. However, text for accreditation is provided that describes measures to respond to extreme events, including to meet critical human water needs. Therefore, the Authority has taken this to mean that there is a potential for events relating to s. 10.51(1) to compromise the State's ability to meet critical human water needs with this material assessed below.</p>	MET

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	If yes, the WRP sets out measures that operate to meet critical human water needs during a type of event listed under subsection (1)	True	WRP s. 5.9 Schedule E, s. 3	Text for accreditation at s. 5.9 refers to Schedule E s. 3 as setting out possible operational measures that are available to manage groundwater resources, including to meet critical human water needs in the WRP area during an extreme event. Examination of s. 3 of Schedule E confirms it sets out measures that operate to meet critical water needs, including critical human water needs, in the NSW Murray-Darling Basin Porous Rock WRP area during an extreme event. The Authority is satisfied that the requirement has been met	
	If no, the WRP sets out the logic and rationale for why events listed under subsection (1) do not compromise the State's ability to meet critical human water needs in the plan area	Test turned off	Not applicable	This assessment has determined that measures that operate to meet critical human water needs during a type of event listed under subsection (1) have been set out in the proposed water resource plan. Therefore, this requirement is not applicable.	
3	The WRP provides for a trigger to consider changes to management of water resources in the event that new scientific information suggest a change in the likelihood of events under subsection (1)	Present	WRP s. 5.9 Schedule E, s. 4 and supporting information at Schedule E, Appendices B and D	Text for accreditation at s. 5.9 refers to Schedule E, s. 4 for a description of the review process and triggers for the review in relation to determining whether groundwater resources in the WRP area should be managed differently as a result of an extreme event listed at ss. 10.51(1)(a) to (c).	MET

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>Examination of s. 4 of Schedule E confirms that it describes an evaluation and review framework that includes triggers for the review of water resource management arrangements resulting from extreme events where new scientific information has been identified.</p> <p>It is the responsibility of the NSW Department of Planning and Environment to monitor new scientific knowledge relevant to extreme events. Supporting information at Appendix B of Schedule E lists the state instrument and the relevant agency responsible for the instrument in regard to new scientific information that may result from an extreme event.</p> <p>Schedule E will be reviewed and evaluated after an extreme event or as new scientific evidence emerges. Findings from IRG evaluation and review, when undertaken, are relevant to the Department of Planning and Environment – Water annual Basin Plan reporting against Schedule 12, Matter 13.</p> <p>Changes to Schedule E will also be considered in concert with any review of surface or groundwater water sharing plans relevant to the water resources of the WRP area.</p> <p>Supporting information at Appendix D of Schedule E provides examples of evaluation questions that will inform the review of Schedule E.</p>	

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				The Authority is satisfied that requirement has been met	

Part 14 Indigenous values and uses

Note: If a water resource plan is prepared by a Basin State, it is expected that the Authority will consult with relevant Indigenous organisations in relation to whether the requirements of this Part have been met, for the purpose of paragraph 63(3)(b) of the Act.

Section 10.52 – Objectives and outcomes based on Indigenous values and uses

- (1) A water resource plan must identify:
 - (a) the objectives of Indigenous people in relation to managing the water resources of the water resource plan area; and
 - (b) the outcomes for the management of the water resources of the water resource plan area that are desired by Indigenous people.
- (2) In identifying the matters set out in subsection (1), regard must be had to:
 - (a) the social, spiritual and cultural values of Indigenous people that relate to the water resources of the water resource plan area (**Indigenous values**); and
 - (b) the social, spiritual and cultural uses of the water resources of the water resource plan area by Indigenous people (**Indigenous uses**);as determined through consultation with relevant Indigenous organisations, including (where appropriate) the Murray Lower Darling Rivers Indigenous Nations and the Northern Murray-Darling Basin Aboriginal Nations.
- (3) A person or body preparing a water resource plan may identify opportunities to strengthen the protection of Indigenous values and Indigenous uses in accordance with the objectives and outcomes identified under subsection (1), in which case the opportunities must be specified in the water resource plan.

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1(a)	The objectives of Aboriginal people in relation to managing water resources in the WRP area are listed	True	Schedule B	<i>The Authority has received advice from First Nations of the WRP area on whether the requirements of Part 14 have been met.</i>	MET

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1(b)	The outcomes of water resource management as desired by Aboriginal people are listed	True	<p>WRP ss. 1.3.1, 1.5, supporting information in s. 1.3.1, 1.7.1</p> <p>Schedule C, s. 2.3, including s. 2.3.4, Tables 3, 4</p> <p>Schedule C, Attachments A, D – H, K, L, N, O: Barapa Barapa Nation Consultation Report, all tables in s. 6.3</p> <p>Maraura Nation Consultation Report, Table 6</p> <p>Muthi Muthi Nation Consultation Report, Table 6</p> <p>Nari Nari Nation Consultation Report, Table 5</p> <p>Ngarabal Nation Consultation Report, Table 6</p> <p>Ngiyampaa Nation Consultation Report, Tables 19 - 23</p>	<p>Schedule B refers to WRP s. 1.3.1 as addressing s. 10.52 of the Basin Plan. This text refers to additional material in Schedule C. The Authority notes that text for accreditation at WRP s. 1.5, incorporated to meet requirements of s. 10.04 (form of a WRP) of the Basin Plan, states that Schedule C is incorporated into the WRP in its entirety.</p> <p>The Authority notes that the cited text for accreditation to meet the requirements of ss. 10.52(1) – (3) and supporting information in the proposed WRP has been substantially revised in comparison to the 2020 version of the proposed Porous Rock WRP.</p> <p>The revisions demonstrate regard to the views of relevant Indigenous organisations and First Nations as set out in advice - prepared by MLDRIN and involving delegates of Nations associated with the WRP area - of the material to meet the requirements of s. 10.52 that was incorporated into the 2020 version of the proposed WRP.</p> <p>Examination of supporting information at s. 1.3.1 and text for accreditation at s. 2.3 of Schedule C confirms that the Barapa Barapa, Barkandji/Maljangapa, Gomeroi/Kamilaroi, Maraaura, Muthi Muthi, Nari Nari, Ngarabal, Ngiyampaa, Tati Tati, Wadi Wadi, Wemba Wemba, Weki Weki, Wiradjuri and Yorta Yorta Nations and Traditional Owners are identified as being associated with the WRP area.</p> <p>The Authority notes that the terms ‘Gomeroi’ and ‘Gomeroi/Kamilaroi/Gamilaroi/Gamilaraay’ are used in the</p>	

Sub-section	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
		<p>Wadi Wadi Nation Consultation Report, s. 7.3.2, Table 7</p> <p>Wemba Wemba Nation Consultation Report, s. 5.3</p> <p>Wiradjuri Nation Consultation Report, Table 5-3 in each volume of the report</p> <p>Yorta Yorta Nation Consultation Report, s. 5.3</p>	<p>WRP materials. This assessment report applies the term 'Gomerioi'.</p> <p>Text for accreditation at s. 1.3.1, and supporting material therein, refers to tables in the attachments to Schedule C that identify objectives and outcomes for the management of water resources of the WRP area as desired by the Indigenous people of the WRP area.</p> <p>Examination of material cited in text for accreditation at s. 1.3.1, and supporting material therein, confirms that objectives and outcomes of Indigenous people in relation to the management of water resources of the WRP area are identified.</p> <p>Absence of Nation consultation reports</p> <p>The Authority notes that the proposed WRP does not include consultation reports for the Barkandji/Maljangapa, Gomerioi, Tati Tati and Weki Weki Nations, and does not identify objectives and outcomes for water management based on values and uses of these Nations for the water resources of the WRP area.</p> <p>Barkandji and Maljangapa Nation</p> <p>Supporting information at WRP s. 1.3.1 describes consultation undertaken with Barkandji and Maljangapa Nations representatives through the Barkandji Native Title Group Aboriginal Corporation and refers to Schedule C for further information on Barkandji and Maljangapa consultation processes undertaken to date. Examination of Schedule C s. 2.3 confirms Barkandji and Maljangapa Nation representatives</p>	

Sub-section	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>were consulted as part of several workshops held on Barkandji and Maljangapa Nation Country.</p> <p>In correspondence dated 21 December 2021 (D21/48774), NSW officials wrote to the MDBA to advise that while engagement with Barkandji and Maljangapa Nations representatives had been completed as part of the Nation by Nation consultation process and a draft Nation Consultation Report had been prepared, the Barkandji Registered Native Title Prescribed Body Corporate Board did not to endorse the report for use as part of the WRP.</p> <p>The correspondence goes on to reflect discussions held between NSW and MDBA on this matter and to commit to continue to seek opportunities to consult with Barkandji and Maljangapa Nations representatives and to subsequently incorporate into the relevant WRPs, Barkandji and Maljangapa Nations' objective and outcomes for water management.</p> <p>The Authority is satisfied that the absence of a Barkandji and Maljangapa Nations Consultation Report and the subsequent inability to identify Barkandji and Maljangapa Nations' objectives and outcomes in the proposed WRP is the result of NSW being unable to secure agreement from Barkandji and Maljangapa Nations representatives to use the outcomes of the consultation in the proposed WRP.</p> <p>As such, it is appropriate that such objectives and outcomes are not identified in the proposed WRP and that other consultation outcomes are not used to meet other Part 14 requirements.</p>	

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>Gomeroi Nation</p> <p>Supporting information at s. 1.3.1 describes consultation undertaken with Gomeroi Nation representatives and refers to Schedule C for further information on Gomeroi consultation processes undertaken to date. Examination of Schedule C, s. 2.3 confirms Gomeroi Nation representative were consulted as part of several workshops.</p> <p>In correspondence dated 27 February 2022 (D22/14682), NSW officials wrote to the MDBA to advise that while engagement with Gomeroi Nation representatives had been completed as part of the Nation by Nation consultation process and a Nation Consultation Report had been prepared, the Gomeroi Native Title Water Committee have subsequently withdrawn support for the use of the Gomeroi Nation Consultation Report as part of any of the proposed WRPs with which the Gomeroi Nation is associated.</p> <p>The Authority is satisfied that the absence of a Gomeroi Nation Consultation Report and the subsequent inability to identify Gomeroi Nations objectives and outcomes in the proposed WRP is the result of NSW being unable to secure agreement from Gomeroi Nation representatives to use the outcomes of the consultation in the proposed WRP.</p> <p>As such, it is appropriate that such objectives and outcomes are not identified in the proposed WRP and that other consultation outcomes are not used to meet other Part 14 requirements.</p>	

Sub-section	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>In addition, as part of the provision of MLDRIN advice concerning this assessment, the Gomeroi Nation also chose to submit a separate analysis with specific feedback in respect of the Porous Rock. This identified numerous shortcomings in the overall process, many of which contributed to the decision of the Nation to withdraw its Nation consultation report from the overall process.</p> <p>Tati Tati and Weki Weki Nations</p> <p>In correspondence dated 21 December 2021 (D21/48774), NSW officials wrote to the MDBA to advise it has made all reasonable efforts to engage with each of the Tati Tati and Weki Weki Nations during the WRP development process as part of the Nation by Nation consultation process.</p> <p>The correspondence goes on to reflect discussions held between NSW and MDBA on this matter and to commit to continue to seek opportunities to consult with the Tati Tati and Weki Weki Nations representatives and to subsequently incorporate into the relevant WRPs, both Nations' objective and outcomes for water management.</p> <p>In addition, supporting information at s. 1.3.1 indicates that consultation with both Nations Nation has not been completed as NSW has been unable to maintain contact with these Nations through the MLDRIN delegate due to ongoing serious illness and other reasons.</p> <p>The Authority is satisfied that the absence of the Tati Tati and Weki Weki Nations' Consultation Reports and the subsequent inability to identify each Nations' objectives and outcomes in</p>	

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>the proposed WRP is the result of NSW being unable to undertake face-to-face engagement with the Tati Tati and Weki Weki Nations' representatives as part of the consultation process for the proposed WRP.</p> <p>Further, the text for accreditation at s. 1.3.1 and at s. 2.3 of Schedule C describes a commitment from NSW to seek opportunities for further consultation with the Barkandji and Maljangapa and the Board of the Barkandji Native Title Group Aboriginal Corporation, and the Gomeroi, Tati Tati and Weki Weki Nations - with a view to the objectives and outcomes of those Nations based on their values and uses being incorporated into the proposed WRP. Text for accreditation at s. 1.3.1 also states that, subject to the Nation's agreement, the proposed WRP will be amended to incorporate objectives and outcomes for the management of water resources of the WRP area based on Nations' values and uses for these, and that NSW will report back to the MDBA regarding progress on this matter within two years of accreditation.</p> <p>The Authority is satisfied that reasonable attempts have been made to consult with the above Nations, and with these explanations regarding the absence of these reports. This assessment report will not refer to consultation outcomes for these Nations any further.</p> <p>Nyeri Nyeri and Taungurung Nations</p> <p>The Authority notes that the Nyeri Nyeri Nation is identified on the <i>A Guide to Traditional Owner Groups for Water Resource Plan Areas (Groundwater)</i> map, and that this Nation is not identified as being associated with the WRP area. Supporting</p>	

Sub-section	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>information at s. 1.7.1 and immediately preceding WRP Table 1-4 states that the Nyeri Nyeri and Taungurung Nations and MLDRIN confirmed that these two Nations identify themselves as being wholly within Victoria and consultation as part of the NSW WRP development was not necessary.</p> <p>MLDRIN advice</p> <p>The MLDRIN advice notes some improvements to the WRP material in respect of this requirement. Notwithstanding these, the advice considers the level of material in the proposed WRP to meet this requirement to be 'Partial' (on a five-point rating scale of 'Absent' to 'Excellent').</p> <p>The advice states that objectives and outcomes are identified in Nation Reports for all but four Nations (being Barkandji/Maljangapa, Gomeroi, Tati Tait and Weki Weki Nations), and that an explanation for the absence of Barkandji/Maljangapa and Gomeroi objectives and outcomes is not provided in the proposed WRP. The lack of adequate explanation and the absence of Nation Consultation Reports for these Nations is a recurring inconsistency identified in the MLDRIN advice against most requirements of Part 14.</p> <p>In addition, the MLDRIN advice raises an issue of concern regarding accredited text in WRP s. 1.3.1 which states that the objectives and outcomes "inform the provisions in Part 2 of the Water Sharing Plan for the NSW Murray–Darling Basin Porous Rock Groundwater Sources 2020 (Schedule A to this WRP) relevant to Aboriginal people in relation to water management in the NSW MDB Porous Rock WRPA". MLDRIN is concerned because verbal advice they have received from NSW suggests</p>	

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>that the objectives and outcomes are yet to be fully reflected in Schedule A. Whilst the Authority notes this concern, it further notes that s. 10.52 does not require any linkages between First Nation objectives and outcomes and NSW WSPs. The WRP commits NSW to further consultation with First Nations with a view to incorporating the objectives and outcomes of all Nations relevant to the WRP area which provides a further opportunity for NSW to consider First Nation views relating to Part 2 of Schedule A.</p> <p>As noted above, the Authority is satisfied with the reasons provided for the absence of these objectives and outcomes. The advice sets out several overarching concerns from some Nations about the adequacy and completeness of the consultation process and overall endorsement of Nation Reports undertaken by NSW.</p> <p>The Authority notes the MLDRIN advice with respect to the 2020 version of the proposed WRP found that material incorporated for s. 10.52(1)(a) and(b) of the Basin Plan was rated 'Partial' on a five-point rating scale of 'Absent' to 'Excellent'). The Authority also notes that material in the proposed WRP responds to some concerns raised in the MLDRIN advice.</p> <p>The Authority has considered all material incorporated into the proposed WRP to address this requirement and the MLDRIN advice. The Authority is satisfied that this requirement has been met.</p>	
2(a)	Supporting evidence	True			MET

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	demonstrates that the objectives and outcomes listed under subsection (1) had regard to the social, spiritual and cultural values of Aboriginal people		WRP ss. 1.3.1, 1.7, supporting information at ss. 1.3.1, 1.7.1 Schedule C, s. 2.3 Schedule C, Attachments A, D – H, K, L, N, O: Barapa Barapa Nation Consultation Report, s. 4, Table 6, all tables in s. 6.3	For the purposes of this requirement, the Authority considers a ‘relevant Indigenous organisation’ to be one that represents some or all of the Indigenous people of the WRP area with respect to the matters in s. 10.52. The Authority acknowledges the identified Nations, MLDRIN and NBAN are ‘relevant Indigenous organisations’ for the purposes of the s. 10.52(2) requirement. The Authority notes that material in WRP s. 1.7 is also relevant for this requirement.	
	The social, spiritual and cultural values of Aboriginal people were determined through consultation with relevant indigenous organisations	True	Maraaura Nation Consultation Report, s. 3, Tables 4, 6 Muthi Muthi Nation Consultation Report, s. 3, Tables 4, 6	Examination of the text for accreditation and supporting information at s. 1.3.1, and text for accreditation in Schedule C, finds it describes a consultation model adopted by NSW for the purposes of Part 14 of the Basin Plan. This model was informed by advice from NBAN and MLDRIN with respect to ensuring culturally appropriate consultation that centres on direct engagement with the First Nations representatives associated with the WRP area.	
2(b)	Supporting evidence demonstrates that the objectives and outcomes listed under subsection (1) had regard to Aboriginal people’s social, spiritual and cultural uses	True	Nari Nari First Nations Consultation Report, s. 4, Tables 3, 5 Ngarabal Nation Consultation Report, s. 3, Tables 3, 6	The supporting information at s. 1.3.1 also refers to supporting information in s. 1.7.1 for further information about the consultation approach. Examination of supporting information in s. 1.7.1 confirms that other Indigenous organisations were also consulted on particular requirements of Part 14 through the development of the proposed WRP.	MET

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	Aboriginal people's social, spiritual and cultural uses were determined through consultation with relevant indigenous organisations	True	<p>Ngiyampaa Nation Consultation Report, s. 4, Tables 15 – 17, 19 – 23</p> <p>Wadi Wadi Nation Consultation Report, ss. 4, 7.3.2, Tables 3, 7</p> <p>Wemba Wemba Nation Consultation Report, ss. 3, 5.3, Table 2</p> <p>Wiradjuri Nation Consultation Report, (Volumes 1, 2 and 3) ss.3, 5.1.1, 5.1.2, Tables 5–1, 5-3 in each volume of the report</p> <p>Yorta Yorta Nation Consultation Report, ss. 3, 5.3, Table 2</p>	<p>Text for accreditation at s. 1.3.1, and supporting material therein, refers to tables in the attachments to Schedule C that identify the social, spiritual and cultural values and uses of Indigenous people of the WRP area that relate to water as determined through consultation with relevant First Nations.</p> <p>The text for accreditation also states that the consultation process undertaken to determine social, spiritual and cultural values of Indigenous people is outlined in s. 2.3 of Schedule C and in s. 4 of each of the Attachments A, F, H, and K, and in s. 3 of Attachments D, E, G, L, N, and O to Schedule C.</p> <p>Examination of Schedule C, material in the attachments to Schedule C, and supporting information at ss. 1.3.1 and 1.7.1 confirms:</p> <ul style="list-style-type: none"> • social, spiritual and cultural values and uses for each Nation are identified • the consultation process is described • the material describes how regard was had to the social spiritual and cultural values and uses, as determined through consultation with relevant Nations, in identifying the objectives and outcomes listed for the purposes of s. 10.52(1). <p>MLDRIN advice</p> <p>The MLDRIN advice notes additions and amendments to the WRP material in respect of this requirement. Notwithstanding the additions and amendments, the advice considers the level of material in the proposed WRP to meet this requirement to</p>	

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>be 'Absent' (on a five-point rating scale of 'Absent' to 'Excellent').</p> <p>The MLDRIN advice further considers that the additional and amended material does not demonstrate any regard for the 'substantive and unique values and uses of First Nations in identifying their objectives and outcomes' for the water resources of the WRP area.</p> <p>The Authority notes the MLDRIN advice with respect to the 2020 version of the proposed WRP found that material incorporated for s. 10.52(2)(a) and(b) of the Basin Plan was rated 'Partial' on a five-point rating scale of 'Absent' to 'Excellent'). The Authority also notes that material in the proposed WRP responds to some concerns raised in the MLDRIN advice.</p> <p>The Authority has considered all material incorporated into the proposed WRP to address this requirement and the MLDRIN advice. The Authority is satisfied that this requirement has been met.</p>	
3	Opportunities to strengthen the protection of Aboriginal values and Aboriginal uses are identified in the WRP	Present	WRP s. 1.3.1, including supporting information s. 1.3.1	Text for accreditation at WRP s. 1.3.1 states that protection of Indigenous values and uses has been strengthened through the consultation process as well as the definition of, and protocols for, protecting First Nations Cultural Knowledge. It also describes agreements that were entered into by First Nations	MET

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	The opportunities included under this subsection (3) operate to strengthen protections for Aboriginal values and uses	True	NSW Water Strategy, Priority 2	<p>consultation participants that granted those participants control over the disclosure and use of cultural knowledge.</p> <p>Text for accreditation also identifies development and implementation of the NSW Water Strategy and the forthcoming development of the Aboriginal Water Strategy as opportunities strengthen the protection of Aboriginal values and uses. Examination of information in supporting material, and the cited documents, confirms the proposed WRP accurately describes commitments made by NSW to strengthen protection of Indigenous values and uses through the development and implementation of Priority 2 of the NSW Water Strategy, which is to:</p> <p>Recognise First Nations / Aboriginal People's rights and values and increase access to and ownership of water for cultural and economic purposes.</p> <p>Supporting information at s. 1.3.1 also refers to the alignment between existing water management initiatives and values and uses identified by Aboriginal people and states these initiatives serve to strengthen protection of values and uses.</p> <p>MLDRIN advice</p> <p>The MLDRIN advice notes updates to the WRP material in respect of this requirement when compared with the 2020 version of the proposed WRP and rates the material as 'Absent' (on a five-point rating scale of 'Absent' to 'Excellent')</p> <p>The Authority notes the MLDRIN advice with respect to the 2020 version of the proposed WRP found that material incorporated for s. 10.52(2)(a) and(b) of the Basin Plan was</p>	

Sub-section	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>rated 'Partial'. The Authority notes that the material in the proposed WRP responds to some concerns raised in the MLDRIN advice sought by the Authority on the 2020 version of the proposed WRP.</p> <p>The Authority has considered all material incorporated into the proposed WRP to address this requirement, and the MLDRIN advice. Given the opportunities identified above and noting the requirement indicates that the WRP 'may' identify opportunities to strengthen the protection of values and uses, the Authority is satisfied that this requirement has been met.</p>	

Section 10.53 – Consultation and preparation of water resource plan

(1) A water resource plan must be prepared having regard to the views of relevant Indigenous organisations with respect to the matters identified under section 10.52 and the following matters:

- (a) native title rights, native title claims and Indigenous Land Use Agreements provided for by the Native Title Act 1993 in relation to the water resources of the water resource plan area;
- (b) registered Aboriginal heritage relating to the water resources of the water resource plan area;
- (c) inclusion of Indigenous representation in the preparation and implementation of the plan;
- (d) Indigenous social, cultural, spiritual and customary objectives, and strategies for achieving these objectives;
- (e) encouragement of active and informed participation of Indigenous people;
- (f) risks to Indigenous values and Indigenous uses arising from the use and management of the water resources of the water resource plan area.

Note: For examples of the principles that may be applied in relation to the participation of Indigenous people, see the document titled ‘MLDRIN and NBAN Principles of Indigenous Engagement in the Murray-Darling Basin’.

(2) In this section, registered Aboriginal heritage means Aboriginal heritage registered or listed under a law of a Basin State or the Commonwealth that deals with the registration or listing of Aboriginal heritage (regardless of whether the law deals with the listing of other heritage).

Sub-section	Assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	Regard was had to the views of relevant Aboriginal organisation with respect to matters identified in section 10.52	True	Schedule B WRP ss. 1.3.1, 1.5, 1.7, supporting information in ss. 1.3.1, 1.7 Schedule C, s. 2.3, Table 2	Schedule B refers to WRP s 1.7 as addressing s 10.53 of the Basin Plan. Text for accreditation at s. 1.7 states that NSW consulted with relevant Aboriginal organisations about the process for engagement with First Nations to prepare the proposed WRP; the WRP was prepared having regard to the views of First Nations with respect to the requirements under s. 10.52 and the specific matters in ss. 10.53(1)(a) - (f). The text for accreditation also states that Schedule C demonstrates how the process of consultation was undertaken.	MET

Sub-section	Assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>Text for accreditation at WRP s. 1.5, incorporated to meet the requirements of s. 10.04 (form of a WRP) of the Basin Plan, states that Schedule C is incorporated into the WRP in its entirety.</p> <p>For the purposes of this requirement, the Authority considers a 'relevant indigenous organisation' to be one that represents some or all of the Indigenous people of the WRP area with respect to the matters in ss. 10.53(1)(a) – (f).</p> <p>Supporting information at s. 1.3.1 and text for accreditation at s. 2.3 of Schedule C confirms that the Barapa Barapa, Barkandji/Maljangapa, Gomeroi, Maraura, Muthi Muthi, Nari Nari, Ngarabal, Ngiyampaa, Tati Tati, Wadi Wadi, Weki Weki, Wemba Wemba, Wiradjuri and Yorta Yorta Nations and Traditional Owners are identified as being associated with the WRP area. The Authority acknowledges these Nations are 'relevant Indigenous organisations' for the purposes of s. 10.53. The Authority also acknowledges there are other Indigenous organisations that are relevant for specific matters in ss. 10.53(1)(a) - (f).</p> <p>The Authority notes that the cited text for accreditation to meet the requirements of ss. 10.53(1)(a) - (f) and supporting information in the proposed WRP has been substantially revised in comparison to the version of the proposed WRP submitted for assessment in 2020. The revisions to the proposed WRP demonstrate regard to the views of relevant Indigenous organisations and First Nations as set out in advice prepared by MLDRIN and involving delegates of Nation groups associated</p>	

Sub-section	Assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>with the WRP area of the proposed WRP submitted for assessment in 2020.</p> <p>MLDRIN advice</p> <p>The MLDRIN advice notes some improvements to the structure of the text for accreditation in the proposed WRP in respect of s. 10.53(1)(a)-(f) requirements when compared to the 2020 version of the proposed WRP, but also maintains that not all s. 10.53 matters were discussed during engagement.</p> <p>The MLDRIN advice also raised concerns with the meaning of “Indigenous organisations”, noting that the NSW Government (and others) could use the vague and open meaning of this term to engage any Aboriginal people, to the disadvantage of Traditional Owners.</p> <p>The Authority notes that the material in the proposed WRP responds to some concerns raised in the MLDRIN advice sought by the Authority on the 2020 version of the proposed WRP.</p> <p>Assessment against the additional matters set out under s. 10.53 of the Basin Plan is outlined against each of the letters below.</p>	

Sub-section	Assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
	Regard was had to each of the matters in letters (a) to (f):		<p>Consideration of how the proposed WRP demonstrates regard was had to views of relevant Indigenous organisations with respect to the matters in letters (a) to (f) is outlined below.</p> <p>The Authority notes instances in Table 2 of Schedule C of text for accreditation for ss. 10.53(1)(c), (d), (e) and (f) referring to 'Attachments A – O to Schedule C'. The Authority understands this to mean the attachments to Schedule C as provided with the proposed WRP. That is, Attachments A, D – H, K, L, N, and O to Schedule C.</p>	MET

Sub-section	Assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1(a)	native title rights, native title claims and Indigenous Land Use Agreements	True	<p>WRP ss. 1.7, 4.4.1, supporting information at s. 1.7.1, Table 3-3</p> <p>Schedule A: NSW Murray Darling Basin Porous Rock Groundwater WSP, Pt 4 (notes to cl 17), Pt 5, cl 20</p> <p>Schedule C, Table 2, s. 2.4.3</p> <p>Schedule C, Attachments A, D, H: Barapa Barapa Nation Consultation Report, supporting information in ss. 4.2.2, 5</p> <p>Maraura Nation Consultation Report, Table 6, supporting information at ss. 5.2.2, 6.2</p> <p>Ngiyampaa Nation Consultation Report, supporting information in Table 23</p> <p>Supporting information in:</p>	<p>Text for accreditation at s. 1.7 notes that the proposed WRP was prepared having regard to the views of First Nations with respect to the matters in s. 10.53(1)(a) of the Basin Plan, and that:</p> <ul style="list-style-type: none"> the NTSCorp was contacted during consultation activities Native Title determinations relevant to the WRP area are specified in Part 5 of Schedule A and that Table 2 of Schedule C details the outcomes of consultation regarding Native Title A Native Title determination relevant to the NSW MDB Porous Rock WRP area has been made for the Barkandji Traditional Owners #8 Native Title claims have been registered by Nations associated with the WRP area including the Gomeroi, Warrabinga-Wiradjuri, Ngemba, Ngiyampaa, Wangaaypuwan and Wayilwan Traditional Owners a list of current Native Title claimant applications and the list of ILUAs linked to Native Title determinations is available from the NNTT. <p>Supporting information at WRP s. 1.7.1 indicates that NTSCorp were consulted for the purposes of this requirement. NTSCorp performs functions under the Native Title Act 1993 and provides specialised legal, research, strategic development and community facilitation services to native title claim groups and Traditional Owners across NSW. As such, NTSCorp can represent Indigenous people with respect to views about native title</p>	MET

Sub-section	Assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
		<p>NSW Water Strategy, Actions 2.2, 2.3</p> <p>A Pathway to Cultural Flows, Approach 1</p>	<p>rights, native title claims and ILUAs within the WRP area. Therefore, in addition to First Nations, the Authority considers NTSCorp to be a 'relevant Indigenous organisations' for the purposes of this requirement.</p> <p>Text for accreditation refers to Table 2 of Schedule C which details Native Title consultation outcomes. It notes correspondence sent to NTSCorp about further consultation on Country and seeking advice on how to consult with Native Title claimant groups. However, the WRP does not indicate whether a response was received. The Authority is satisfied that NTSCorp were approached and that NSW attempted to seek their views regarding Native Title.</p> <p>With respect to First Nations, the Authority notes that Table 2 of Schedule C sets out the rationale adopted by NSW whereby general discussions about Native Title were not conducted in the instance where a Nation had not lodged an application or received a determination. Where Nation participants wished to include views relating to ILUAs and Native Title, those views are recorded in the relevant Nation Report.</p> <p>Table 2 also states that NSW decided it was not appropriate to actively hold discussions about Native Title where an application had not been lodged, or a determination received, by a Nation. The Authority notes that while active discussions were not held in those circumstances, examination of material confirms that First Nation views are detailed in various parts of the proposed WRP as set out below.</p>	

Sub-section	Assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>Examination of the attachments to Schedule C confirms that views with respect to ILUAs are set out in:</p> <ul style="list-style-type: none"> Table 6 and in supporting information at ss. 5.2.2 and 6.2 of the Maraura Nation Consultation Report. <p>Examination of the attachments to Schedule C confirms that views with respect to native title are set out in:</p> <ul style="list-style-type: none"> supporting information in ss. 4.2.2 and 5 of the Barapa Barapa Nation Consultation Report Table 23 of the Ngiyampaa Nation Consultation Report <p>Supporting information immediately below Table 2 of Schedule C also states that Nation consultations identified that additional work is necessary to further objectives and outcomes with respect to Native Title. The supporting information notes the NSW Water Strategy acknowledges the importance of water to culture and wellbeing of First Nations people.</p> <p>The Authority notes that Action 2.2 of the NSW Water Strategy commits to co-design an NSW-wide Aboriginal water strategy that will identify a program of measures to deliver on First Nations' water rights and interests in water management. Action 2.3 will provide Aboriginal ownership of, and access to, water for cultural and economic purposes. In part, this will be achieved by recognising and protecting native title rights to water in WSPs.</p> <p>The Authority also notes that material included at WRP s. 4.4.1 for s. 10.54 of the Basin Plan refers to the National Cultural</p>	

Sub-section	Assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>Flows Research Project and the processes developed for the A Pathway to Cultural Flows in Australia document.</p> <p>A Pathway to Cultural Flows in Australia outlines three approaches to build a pathway to cultural flows. Most pertinent is Approach 1. It states ‘First Nations water rights – central to cultural flows’ and includes water rights in native title as a means to achieve legal recognition of First Nations’ interests in land and water. The approach examines how law and policy can best give effect to water rights controlled by First Nations, strengthen the water values in native title and land rights as well as put in place larger-scale cultural water reserves and cultural water holders. Copyright (and, therefore, ownership) of the documents and views contained therein is vested in MLDRIN, NBAN and NAILSMA. The Authority considers NBAN, MLDRIN, and NAILSMA to be relevant Indigenous organisations for the purposes of this requirement.</p> <p>Further, the Authority considers that, collectively, the NSW Water Strategy and the A Pathway to Cultural Flows in Australia documents suggest that Native Title is viewed by relevant Indigenous organisations as one mechanism for achieving desired objectives and outcomes with respect to access to water for cultural and economic purposes.</p> <p>The Authority notes that MLDRIN advice on the 2020 version of the proposed Porous Rock WRP commented on the absence of any clear reference to the Echuca Declaration or the National Cultural Flows Research Program, which have water ownership as a distinguishing feature. MLDRIN advised that these were missed potential opportunities that could have been included in</p>	

Sub-section	Assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>the accredited text and would provide evidence that the WRP had regard to the views of First Nations.</p> <p>The Authority is satisfied that:</p> <ul style="list-style-type: none"> views of NTSCorp, MLDRIN, NBAN, NAILSMA and identified First Nations regarding native title and ILUAs have been included in the WRP the range of relevant Indigenous organisations was sufficient to enable NSW to understand broadly the views of the Indigenous people of the WRP area regard is demonstrated by including those views in the proposed WRP and by incorporating additional material (as compared to the 2020 version of the proposed WRP) relating to these matters in the proposed WRP. <p>MLDRIN advice</p> <p>The MLDRIN advice notes amendments to the WRP material in respect of this requirement when compared with the 2020 version of the proposed WRP. The advice considers this requirement to be 'Absent' (on a five-point rating scale of 'Absent' to 'Excellent').</p> <p>Noting the revised approach NSW has taken concerning the appropriateness of general discussions on native title rights, native title claims and ILUAs, the MLDRIN advice raises concern about the revised position. The advice proposes Traditional Owners should have the opportunity to speak about claims that their own Nation, or others, have made, and the ways these</p>	

Sub-section	Assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>claims interact with the management of the water sources and protection of their values and uses.</p> <p>The Authority acknowledges the concerns raised in the MLDRIN advice. However, as set out in the assessment above, the material incorporated into the proposed WRP does demonstrate regard to views about native title and ILUAs.</p> <p>The Authority notes that the MLDRIN advice with respect to the 2020 version of the proposed WRP found that material incorporated for s. 10.53(1)(a) of the Basin Plan was rated 'Partial' on a five-point rating scale of 'Absent' to 'Excellent'). The Authority also notes that material in the proposed WRP responds to some concerns raised in the 2020 MLDRIN advice.</p> <p>The Authority has considered all material incorporated into the proposed WRP to address this requirement and the MLDRIN advice. The Authority is satisfied that this requirement has been met.</p>	

Sub-section	Assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1(b)	registered Aboriginal heritage relating to the water resources of the WRP area	True	<p>WRP ss. 1.3.1, 1.7, 4.4, supporting information in s. 1.7.1 including Table 1-3, and in s. 4.4.2 including Table 4-2</p> <p>Final Border Rivers LTWP 2022</p> <p>Final Gwydir LTWP 2020</p> <p>Final Macquarie-Castlereagh LTWP 2020</p> <p>Final Murray-Lower Darling LTWP 2020</p> <p>Final Murrumbidgee LTWP 2020</p> <p>Final Namoi LTWP 2020</p> <p>Schedule C, Table 2</p> <p>Schedule C, Attachments A, D – H, K, L, N, O: Barapa Barapa Nation Consultation Report, Tables 6, 7</p>	<p>Section 10.53(2) of the Basin Plan defines ‘registered Aboriginal heritage’ as:</p> <p>Aboriginal heritage registered or listed under a law of a Basin State or the Commonwealth that deals with the registration or listing of Aboriginal heritage (regardless of whether the law deals with the listing of other heritage).</p> <p>Text for accreditation at WRP s. 1.7 states that the WRP was prepared having regard to the views of First Nations with respect to the matters in s. 10.53(1)(b) of the Basin Plan; and that:</p> <ul style="list-style-type: none"> registered Aboriginal heritage held in the AHIMS must be considered in the application and approval process for water management works and use approvals. Where required, Local Aboriginal Land Councils may have also been contacted. registered Aboriginal heritage, as held by the NSW Department of Planning and Environment – Environment and Heritage Group, has also been considered as part of the development of LTWPs for WRP areas. 	MET

Sub-section	Assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
		<p>Maraura Nation Consultation Report, Tables 4 – 6</p> <p>Muthi Muthi Nation Consultation Report, Tables 4 – 6, supporting information in s. 4</p> <p>Nari Nari First Nations Consultation Report, Table 3</p> <p>Ngarabal Nation Consultation Report, Table 3</p> <p>Ngiyampaa Nation Consultation Report, Tables 15, 16</p> <p>Wadi Wadi Nation Consultation Report, s. 7.3.2, Table 7</p> <p>Wemba Wemba Nation Consultation Report, Table 3, s. 5.3</p> <p>Wiradjuri Nation Consultation Report, s. 5.2.1, Tables 5-1, 5-2, 5-3 in each volume,</p>	<ul style="list-style-type: none"> Aboriginal heritage considerations under Commonwealth law are triggered as part of NSW land use planning the Department of Planning and Environment – Environment and Heritage Group acknowledges that ‘Aboriginal cultural heritage’ has generally focussed on physical artifacts, but for First Nations cultural heritage encompasses more, including intangible values. Some First Nations may have their own registers, lists or databases that capture cultural heritage. Where this information is shared and incorporated into the water planning process, it forms part of considerations for water management decisions. Information about cultural heritage sharing during First Nations consultation is summarised in WRP Table 1-3. <p>Text for accreditation in Table 2 of Schedule C further notes that LALCs were invited to participate in consultation and there were opportunities for LALCs to discuss registered heritage during the consultation workshops. The Authority understands that LALCs support, among other matters, the maintenance and enhancement of Aboriginal culture and heritage within NSW (including the management of traditional sites and cultural materials). As such, LALCs can represent views on ‘registered Aboriginal heritage’ of the WRP area. Therefore, in addition to First Nations, the Authority considers LALCs to be a ‘relevant Indigenous organisation’ for the purposes of this requirement.</p> <p>Table 2 refers to WRP Chapter 4 for further information. Examination of supporting information at WRP s. 4.4.2 notes</p>	

Sub-section	Assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
		<p>supporting information in s. 5.2.2 in volumes 1 and 2</p> <p>Yorta Yorta Nation Consultation Report, ss. 4.4, 5.1.1</p>	<p>that the main legislation under which protected areas are created and managed is the <i>National Parks and Wildlife Act 1974</i> (NSW). This legislation establishes the AHIMS (see WRP Table 4-2). Supporting information at s. 4.4.2 also notes that items of significance can be listed on the State Heritage Register established under the <i>Heritage Act 1997</i> (NSW).</p> <p>The NSW Department of Planning and Environment is responsible for the AHIMS and the State Heritage Register and supporting information at WRP s. 1.7.1 indicates that they were consulted for the purposes of this requirement. The Authority is satisfied that sites and artifacts listed on the AHIMS and the State Heritage Register meet the definition of ‘registered Aboriginal heritage’.</p> <p>However, supporting information immediately preceding WRP Table 1-3 notes that Aboriginal people of the WRP area describe their heritage in their own terms. The supporting information goes on to state that information shared about cultural heritage is included in the attachments to Schedule C as references to ‘cultural sites’, ‘sacred sites’ or ‘significant sites’ and that this information is summarised in Table 1-3.</p> <p>Table 1-3 presents a summary of cultural heritage-related matters including places of significance and types of law and ceremony that may be associated with the water resources of the WRP area (views about what constitutes Aboriginal heritage). The Authority understands this to mean First Nations view their heritage in a manner that is not necessarily aligned with the Basin Plan definition of registered Aboriginal heritage.</p>	

Sub-section	Assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>Supporting information immediately below Table 2 of Schedule C states that Nation consultations identified that additional work is necessary to further objectives and outcomes with respect to cultural heritage.</p> <p>As noted in text for accreditation at s. 1.3.1 of the proposed WRP, NSW has made commitments to strengthen protection of Indigenous values and uses through the development and implementation of Priority 2 of the NSW Water Strategy, which is to:</p> <p>Recognise First Nations / Aboriginal People's rights and values and increase access to and ownership of water for cultural and economic purposes</p> <p>Examination of the NSW Water Strategy confirms that under Priority 2:</p> <ul style="list-style-type: none"> • Action 2.5 is to 'work with First Nations and Aboriginal People to maintain and preserve water-related cultural sites and landscapes'. This will involve ensuring that: <ul style="list-style-type: none"> ○ regional and metropolitan water strategies appropriately consider First Nations/Aboriginal People's cultural heritage in assessing infrastructure, policy and planning options in each region ○ meaningful engagement occurs with First Nations/Aboriginal People upstream and downstream of new infrastructure proposals 	

Sub-section	Assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<ul style="list-style-type: none"> ○ cultural heritage implications of new water policies are considered <p>Further commitments outlined under Action 2.5 state that:</p> <ul style="list-style-type: none"> • NSW will partner with Aboriginal communities to explore programs and initiatives that will support Aboriginal communities to identify and map water-dependent cultural sites and record cultural water practices, where culturally appropriate • regional and metropolitan water strategies will ensure that strategies appropriately consider cultural heritage in assessing infrastructure, policy and planning options and that cultural heritage implications of new water policies are considered. <p>The Authority notes that MLDRIN indicated in their advice on the 2020 version of the proposed WRP that inclusion of references to NSW Regional Water Strategies and other relevant NSW policies are a potential opportunity that could have been included in text for accreditation by NSW with respect to First Nations' water interests with the development of the WRP and would provide evidence that the WRP had regard to the views of First Nations. The inclusion of these additional NSW policies in the proposed WRP provides further evidence that NSW have had regard to views with respect to this requirement.</p> <p>Further, supporting information at s. 4.4.2 notes NSW reform in this area:</p> <p>NSW is undertaking consultation with peak Aboriginal bodies on Aboriginal cultural heritage legislation to</p>	

Sub-section	Assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>ensure self-determination and custodianship is at the centre of any legislation that deals with Aboriginal cultural heritage.</p> <p>The Authority also notes that examination of the Border Rivers, Lachlan, Macquarie-Castlereagh, Murray–Lower Darling, Murrumbidgee and Namoi LTWPs finds that cultural water-dependent sites registered in the AHIMS are included as PEAs or culturally significant sites in those LTWPs.</p> <p>The Authority is satisfied that:</p> <ul style="list-style-type: none"> views regarding registered Aboriginal heritage have been sought from relevant Indigenous organisations views of MLDRIN, NBAN, NAILSMA and First Nations regarding Aboriginal heritage are not necessarily aligned with the definition of Aboriginal heritage and that those views have been included in the WRP the range of relevant Indigenous organisations was sufficient to enable NSW to understand broadly the views of the people of the WRP area regard is demonstrated by including those views in the WRP and by incorporating additional material (as compared to the 2020 version of the proposed WRP) relating to these matters in the proposed WRP. <p>MLDRIN advice</p> <p>The MLDRIN advice notes some significant additions to the WRP material in respect of this requirement when compared with the 2020 version of the proposed WRP. Notwithstanding these</p>	

Sub-section	Assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>amendments, the MLDRIN advice considers this requirement to be ‘Absent’ (on a five-point rating scale of ‘Absent’ to ‘Excellent’).</p> <p>The advice also notes the key concern that the significant additions incorporated into the 2022 version of the proposed WRP do not demonstrate how the views of First Nations about registered Aboriginal heritage were given proper, genuine and realistic consideration relating to the water resources of the WRP area as part of the Nation by Nation consultation process.</p> <p>The Authority acknowledges the concerns raised in the MLDRIN advice. However, as set out in the assessment above, the new material incorporated into the proposed WRP does demonstrate regard to views about Aboriginal heritage.</p> <p>The Authority notes that the MLDRIN advice with respect to the 2020 version of the proposed WRP found that material incorporated for s. 10.53(1)(b) of the Basin Plan was rated ‘Absent’ on a five-point rating scale of ‘Absent’ to ‘Excellent’). The Authority also notes that material in the proposed WRP responds to concerns raised in the 2020 MLDRIN advice.</p> <p>The Authority has considered all material incorporated into the proposed WRP to address this requirement and the MLDRIN advice. The Authority is satisfied that this requirement has been met.</p>	
1(c)	inclusion of Aboriginal representation in the preparation and	True	WRP ss. 1.3, 1.7, 4.4, supporting information at ss. 1.3.1, 1.7.1	Text for accreditation at s. 1.7 states that the WRP was prepared having regard to the views of First Nations with respect to the matters in s. 10.53(c) of the Basin Plan and specifies that NBAN	MET

Sub-section	Assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
	implementation of the plan	<p>Schedule C, s. 2.3, Table 2</p> <p>Schedule C, Attachments A, D – H, K, L, N, O:</p> <p>Barapa Barapa Nation Consultation Report, s. 4, Tables 6, 8, supporting information in ss. 1.2, 2.3, 6.1.1.1, 6.2.2</p> <p>Maraura Nation Consultation Report, s. 3, Tables 4, 6, supporting information at ss. 1.1, 1.3</p> <p>Muthi Muthi Nation Consultation Report, s. 3, Tables 4, 6, supporting information at ss. 1.1, 1.3, 4.3, 6.1</p> <p>Nari Nari First Nations Consultation Report, s. 4, Tables 3 5</p> <p>Ngarabal Nation Consultation Report, s. 3, Tables 3, 6, supporting information at the Executive Summary, s. 1.3</p> <p>Ngiyampaa Nation Consultation Report, s. 4,</p>	<p>and MLDRIN were consulted (views were sought) about the appropriate First Nations representatives to contact regarding First Nation consultation in the WRP area.</p> <p>The Authority notes that the text for accreditation and supporting information at WRP s. 1.3.1 describes the overarching approach to consultation for the purpose of s. 10.52 of the Basin Plan; and that this material is also relevant for the purpose of s. 10.53(1)(c).</p> <p>Supporting information at s. 1.3.1 also provides summarised extracts from the attachments to Schedule C that include views about Aboriginal representation in the preparation and implementation of water management. Themes of partnership, governance and custodianship are common to several of these extracts.</p> <p>Section 2.3 of Schedule C describes the approach to consultation using a Nation-based model that sought to be respectful of participants wishes, including preferences for dealing with sensitive and difficult topics.</p> <p>Section 3 of Attachments D, E, G, L, N and O and section 4 of Attachments A, F, H and K to Schedule C describe the consultation process undertaken with the Nation to whom each attachment relates and was informed by advice from the Nation Organiser.</p> <p>Table 2 of Schedule C describes input from NBAN and MLDRIN on the Nation-based consultation approach adopted by NSW and includes details about how NBAN and MLDRIN provided contacts for NBAN and MDLRIN delegates who often assisted</p>	

Sub-section	Assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
		<p>Tables 2, 18, 21, 22, supporting information at ss. 2.3, 5.3, 5.4</p> <p>Wadi Wadi Nation Consultation Report, ss. 4, 7.3.2, Tables 3, 5, 7, supporting information at ss. 1.1, 1.2, 2.3, 5.5, 5.6</p> <p>Wemba Wemba Nation Consultation Report, ss. 3, 5.3, Tables 2, 3, supporting information ss. 1.1, 1.3, 5.3.2</p> <p>Wiradjuri Nation Consultation Report, s. 3, Tables 5-1 - 5-3 in each volume, supporting information at ss. 4.1 - 4.5 in volume 1</p> <p>Yorta Yorta Nation Consultation Report, ss. 3, 5.3.1, 5.3.2, Table 2,</p>	<p>the consultation process and gave advice, input and recommendations on which Traditional Owners to engage. The Authority considers NBAN, MLDRIN and/or First Nations to be 'relevant Indigenous organisations' for the purposes of this requirement. Regard to NBAN and MLDRIN's views is reflected in the design and implementation of the consultation program. Specifically, the encouragement of the Nation-based approach; and the identification of, and liaison with, Nation Organisers and First Nations Stakeholder Consultants.</p> <p>First Nations' views about inclusion of Indigenous representation in the preparation and implementation of the WRP are further drawn from the relevant Nation Reports. The views cover various aspects of the consultation method, including Nation preferences for consultation workshop format, and the timing, location and who ought to be included.</p> <p>Text for accreditation at s. 1.7 (incorporated for the purposes of s. 10.53(1)(e)) also describes the use of Data Use Agreements as part of the consultation process. These agreements informed participation and allowed participants to exercise control over the use and disclosure of cultural knowledge.</p> <p>The Authority is satisfied that:</p> <ul style="list-style-type: none"> views regarding inclusion of Indigenous representation in the preparation and implementation of the WRP have been sought from MLDRIN and First Nations the range of relevant Indigenous organisations was sufficient to enable NSW to understand broadly the views of the Indigenous people of the area 	

Sub-section	Assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<ul style="list-style-type: none"> regard to views obtained is demonstrated by conducting the consultation process consistently (in most cases) with these views; by including those views in the proposed WRP; and by incorporating additional material in text for accreditation at s. 1.7 and s. 2.3 of Schedule C (as compared to the 2020 version of the proposed WRP) relating to these matters in the proposed WRP. <p>MLDRIN advice</p> <p>The MLDRIN advice notes some additions in supporting information to the WRP material in respect of this requirement when compared with the 2020 version of the proposed WRP, but that there are minimal changes to the primary text for accreditation. The MLDRIN advice considers this requirement to be 'Absent' (on a five-point rating scale of 'Absent' to 'Excellent').</p> <p>The advice further notes that although the 2022 version of the proposed WRP incorporates new information about future engagement and a more explicit role for First Nations people in water management, there seemed to be no active follow up or communication about the preparation or implementation of the WRP beyond when consultation workshops ceased in 2018-19. The advice also strongly disagreed with material in Table 2 of Schedule C that suggests that NSW had adequately heeded Nation organisers' views on appropriate consultation and representation for preparation and implementation of the proposed WRP.</p> <p>The Authority acknowledges the concerns raised in the MLDRIN advice. However, as set out in the assessment above, the new</p>	

Sub-section	Assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>material incorporated into the proposed WRP does demonstrate regard to views about Aboriginal representation.</p> <p>The Authority notes that the MLDRIN advice with respect to the 2020 version of the proposed WRP found that material incorporated for s. 10.53(1)(c) of the Basin Plan was rated 'Partial' (on a five-point rating scale of 'Absent' to 'Excellent'). The Authority also notes that material in the proposed WRP responds to concerns raised in the 2020 MLDRIN advice.</p> <p>The Authority has considered all material incorporated into the proposed WRP to address this requirement and the MLDRIN advice. The Authority is satisfied that this requirement has been met.</p>	
1(d)	Aboriginal social, cultural, spiritual and customary objectives and strategies for achieving these objectives	<p>True</p> <p>WRP ss. 1.3.1, 1.7, supporting information at s. 1.3.1</p> <p>Schedule A. NSW Murray Darling Basin Porous Rock Groundwater WSP Order 2020, cl 11</p> <p>Schedule C, Tables 2 - 4</p> <p>Schedule C, Attachments A, D – H, K, L, N, O: Barapa Barapa Nation Consultation Report, all tables in s. 6.3, Table 6,</p>	<p>Text for accreditation at s. 1.7 states that the WRP was prepared having regard to the views of First Nations with respect to the matters in s. 10.53(1)(d) of the Basin Plan; that objectives for water management were discussed during consultation and are included in text for accreditation at WRP s. 1.3.1; and that views regarding objectives and strategies are included the Nation consultation reports if they were expressed during consultation.</p> <p>Text for accreditation in Table 2 of Schedule C refers to consultation outcomes including what people would want in the future in relation to social, cultural, spiritual and customary objectives and strategies.</p> <p>Examination of Attachments A, D – H, K, L, N, O, to Schedule C finds examples are included of First Nation's views regarding</p>	MET

Sub-section	Assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
		<p>supporting information at s. 6.2.2</p> <p>Maraura Nation Consultation Report, Tables 4, 6</p> <p>Muthi Muthi Nation Consultation Report, Table 6</p> <p>Nari Nari First Nations Consultation Report, Table 5</p> <p>Ngarabal Nation Consultation Report, Tables 3, 6</p> <p>Ngiyampaa Nation Consultation Report, Tables 19 – 23</p> <p>Wadi Wadi Nation Consultation Report, Table 7</p> <p>Wemba Wemba Nation Consultation Report, s. 5.3, Table 2</p> <p>Wiradjuri Nation Consultation Report, Table 5-3 in each volume</p>	<p>objectives and actions that, while not specifically labelled so, have been interpreted as strategies.</p> <p>Further, supporting information at s. 1.3.1 refers to Table 3 of Schedule C that summarises the alignment of First Nations' objectives with the objectives in cl 11 of Schedule A. Examination of the attachments to Schedule C and Table 3 of Schedule C confirms they set out the information stated in the text for accreditation.</p> <p>The supporting information at s. 1.3.1 also refers to the inclusion of First Nations' water management objectives in the development and implementation of the NSW Water Strategy and the future development of the NSW Aboriginal Water Strategy proposed therein. There is also broader demonstration of regard to views about strategies to achieve objectives and outcomes through the description of a number of measures that are intended to enhance direct engagement by First Nations in water management.</p> <p>The Authority is satisfied that:</p> <ul style="list-style-type: none"> views regarding Aboriginal social, cultural, spiritual and customary objectives and strategies for achieving these objectives have been sought from First Nations the range of relevant Indigenous organisations was sufficient to enable NSW to understand broadly the views of the Indigenous people of the area regard is demonstrated by including those views in the proposed WRP and by incorporating additional material 	

Sub-section	Assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
		<p>Yorta Yorta Nation Consultation Report, s. 5.3</p> <p>NSW Water Strategy</p>	<p>(as compared to the 2020 version of the proposed WRP) relating to these matters in the proposed WRP.</p> <p>MLDRIN advice</p> <p>The MLDRIN advice notes the inclusion of additional WRP material in respect of this requirement when compared with the 2020 version of the proposed WRP. Notwithstanding this additional material, the advice considers this requirement to be 'Absent' (on a five-point rating scale of 'Absent' to 'Excellent').</p> <p>The advice notes the additional material for accreditation and supporting information relating to future commitments and programs that may offer opportunities to advance First Nations objectives through the review and replacement of WSPs, and in the development and implementation of an array of other strategies. However, the advice also notes that it is still the case that the preparation of the proposed WRP does not evidence proper, genuine and realistic consideration for First Nations views about their water-related objectives or strategies for achieving those objectives.</p> <p>The Authority acknowledges the concerns raised in the MLDRIN advice. However, as set out in the assessment above, the new material incorporated into the proposed WRP does demonstrate regard to views about strategies to achieve Aboriginal social, cultural, spiritual and customary objectives.</p> <p>The Authority notes that the MLDRIN advice with respect to the 2020 version of the proposed WRP found that material incorporated for s. 10.53(1)(d) of the Basin Plan was rated 'Absent (on a five-point rating scale of 'Absent' to 'Excellent')'.</p>	

Sub-section	Assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>The Authority also notes that material in the proposed WRP responds to concerns raised in the 2020 MLDRIN advice.</p> <p>The Authority has considered all material incorporated into the proposed WRP to address this requirement and the MLDRIN advice. The Authority is satisfied that this requirement has been met.</p>	
1(e)	encouragement of active and informed participation of Aboriginal people	True	<p>WRP ss. 1.7, 4.4, supporting information at s. 1.7.1</p> <p>Schedule C, s. 2.3 including Table 2</p> <p>Schedule C, Attachments A, D – H, K, L, N, O: Barapa Barapa Nation Consultation Report, s. 4</p> <p>Maraura Nation Consultation Report, s. 3</p> <p>Muthi Muthi Nation Consultation Report, s. 3</p> <p>Nari Nari First Nations Consultation Report, s. 4</p> <p>Ngarabal Nation Consultation Report, s. 3</p>	<p>Text for accreditation at s. 1.7 states that the WRP was prepared having regard to the views of First Nations with respect to matters in s. 10.53(1)(e) of the Basin Plan, and that:</p> <ul style="list-style-type: none"> based on guidance from NBAN and MLDRIN, the approach to First Nations' consultation encouraged active and informed participation participation in water planning and management will be strengthened through Priority 2 of the NSW Water Strategy and the proposed NSW Aboriginal Water Strategy, and progressing work to support Aboriginal literacy and engagement in water planning further detail about informed participation is available in the attachments to Schedule C. <p>The Authority considers NBAN, MLDRIN and/or First Nations to be 'relevant Indigenous organisations' for the purposes of this requirement.</p> <p>Table 2 of Schedule C notes that NBAN and MLDRIN provided advice on the Nation-based consultation approach. Regard to NBAN and MLDRIN's views is reflected in the design and</p>	MET

Sub-section	Assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
		<p>Ngiyampaa Nation Consultation Report, s. 4</p> <p>Wadi Wadi Nation Consultation Report, s. 4</p> <p>Wemba Wemba Nation Consultation Report, s. 3</p> <p>Wiradjuri Nation Consultation Report, s. 3 in each volume</p> <p>Yorta Yorta Nation Consultation Report, s. 3</p>	<p>implementation of the consultation program. Specifically, the encouragement of the Nation-based approach and the identification of, and liaison with, Nation Organisers and First Nations Stakeholder Consultants.</p> <p>Table 2 of Schedule C further states that the design of the consultation process sought to follow cultural protocols to ensure active and informed participation and refers to the Nation Consultation Reports for further detail on the engagement process with each Nation.</p> <p>Demonstration of regard to the views about the design of the consultation program encouraging active and informed participation is also set out in the text for accreditation at s. 1.7, which describes the use of 'data use agreements' that ensure information provided is managed and used in a way that recognises cultural ownership and authority over that knowledge.</p> <p>Further, s. 2.3 of Schedule C demonstrates regard through a description of the approach to consultation using a nation-based model and provides details about Nation groups consulted, workshops held, common themes from consultation and summarises consultation outcomes.</p> <p>Supporting information at WRP s. 1.7.1 notes that the NSW Department of Planning and Environment held culturally appropriate workshops according to instructions from the Nation Organisers and followed culturally appropriate protocols. This approach supported active and informed participation of Indigenous people.</p>	

Sub-section	Assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>Supporting information in the attachments to Schedule C also sets out views on informed participation. For example, consultation recommendations at s. 6.1 of the Muthi Muthi Nation Consultation Report and the Executive Summary of the Ngarabal Nation Consultation Report.</p> <p>The Authority is satisfied that:</p> <ul style="list-style-type: none"> views regarding encouragement of active and informed participation of Aboriginal people have been sought from NBAN and First Nations the range of relevant Indigenous organisations was sufficient to enable NSW to understand broadly the views of the Indigenous people of the area regard is demonstrated by including those views in the proposed WRP; through conducting consultation in a way that is generally consistent with those views; and by incorporating additional material (as compared to the 2020 version of the proposed WRP) relating to these matters in the proposed WRP. <p>MLDRIN advice</p> <p>The MLDRIN advice notes new and explicit text for accreditation in respect of this requirement when compared with the 2020 version of the proposed WRP. Notwithstanding this additional material, the advice considers this requirement to be 'Absent' (on a five-point rating scale of 'Absent' to 'Excellent').</p> <p>The advice strongly disagrees with the text for accreditation at s. 1.7 which states 'Based on guidance from NBAN and MLDRIN,</p>	

Sub-section	Assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>the department engaged with First Nations in a way that encouraged active and informed participation’. The MLDRIN advice notes the NSW engagement approach seems to have frequently disregarded MLDRIN advice.</p> <p>The Authority acknowledges the concerns raised in the MLDRIN advice. However, as set out in the assessment above, the new material incorporated into the proposed WRP does demonstrate regard to views about encouragement of active and informed participation of Aboriginal people.</p> <p>The Authority notes that the MLDRIN advice with respect to the 2020 version of the proposed WRP found that material incorporated for s. 10.53(1)(e) of the Basin Plan was rated ‘Partial’ on a five-point rating scale of ‘Absent’ to ‘Excellent’). The Authority also notes that material in the proposed WRP responds to concerns raised in the 2020 MLDRIN advice.</p> <p>The Authority has considered all material incorporated into the proposed WRP to address this requirement and the MLDRIN advice. The Authority is satisfied that this requirement has been met.</p>	
1(f)	risks to Aboriginal values and Aboriginal uses arising from the use and management of the water resources of the WRP area	True	WRP s. 1.7, Table 3-3, supporting information at s. 3.4 Schedule C, Table 2 Schedule C, Attachments A, D – H, K, L, N, O: Barapa Barapa Nation	Text for accreditation at s. 1.7 states the WRP was prepared having regard to the views of First Nations with respect to matters in s. 10.53(1)(f) of the Basin Plan. The text for accreditation refers to direct and indirect risks and impacts raised during consultation that are summarised in WRP Table 3-3. The text for accreditation at s. 1.7 also refers to the	MET

Sub-section	Assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
		<p>Consultation Report, Table 7</p> <p>Maraura Nation Consultation Report, Table 5</p> <p>Muthi Muthi Nation Consultation Report, Table 5</p> <p>Nari Nari Nation Consultation Report, Table 4</p> <p>Ngarabal Nation Consultation Report, Table 5</p> <p>Ngiyampaa Nation Consultation Report, s. 6.2 including Table 18</p> <p>Wadi Wadi Nation Consultation Report, Tables 5, 6</p> <p>Wemba Wemba Nation Consultation Report, Table 3</p> <p>Wiradjuri Nation Consultation Report, Table 5-2 in each volume</p>	<p>attachments to Schedule C for risks to Aboriginal values and uses.</p> <p>Examination of Table 3-3 finds the identified risks are grouped together by impact and confirms it identifies relevant management tools and instruments, where available.</p> <p>Examination of the attachments to Schedule C confirms risks and impacts identified below are reflected in Table 3-3:</p> <ul style="list-style-type: none"> • Barapa Barapa Nation Consultation Report, Table 7 • Maraura Nation Consultation Report, Table 5 • Muthi Muthi Nation Consultation Report, Table 5 • Nari Nari Nation Consultation Report, Table 4 • Ngarabal Nation Consultation Report, Table 5 • Ngiyampaa Nation Consultation Report, s. 6.2 including Table 18 • Wadi Wadi Nation Consultation Report Tables 5 and 6 • Wemba Wemba Nation Consultation Report, Table 3 • Wiradjuri Nation Consultation Report, Table 5-2 in each volume • Yorta Yorta Nation Consultation Report, s. 5.2 <p>Supporting information at WRP s. 3.4 broadly outlines the views regarding risks to values and uses and objectives and outcomes obtained during First Nations consultation.</p>	

Sub-section	Assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
		Yorta Yorta Nation Consultation Report, s. 5.2	<p>The Authority is satisfied that:</p> <ul style="list-style-type: none"> views of relevant Indigenous organisations with respect to risks to Aboriginal values and Aboriginal uses arising from the use and management of the water resources of the WRP area have been sought from First Nations the range of relevant Indigenous organisations was sufficiently broad to enable NSW to understand broadly the views of the Indigenous people of the area regard is demonstrated by including those views in the proposed WRP through seeking to align desired objectives and strategies with those set out in NSW water sharing plans, and by incorporating additional material (as compared to the 2020 version of the proposed WRP) relating to these matters in the proposed WRP. <p>The Authority also notes that in WRP s. 1.7 NSW have committed to further strengthen engagement with First Nations regarding risks and impacts to values and uses through the water planning process.</p> <p>MLDRIN advice</p> <p>The MLDRIN advice notes that compared to the 2020 version of the proposed WRP, NSW has done more to identify and organise risks identified by First Nations during consultation in respect of this requirement. Notwithstanding the new information, the advice considers this requirement to be 'Absent' (on a five-point rating scale of 'Absent' to 'Excellent').</p>	

Sub-section	Assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>The MLDRIN advice notes a range of concerns remain regarding how this requirement is addressed including that there is insufficient evidence of regard to risks associated with groundwater resources and that the identified risks have not been assessed and rated.</p> <p>The Authority acknowledges the concerns raised in the MLDRIN advice but notes that the requirement is to have regard to views about risks and not to assess or rate those risks. Further, as set out in the assessment above, the new material incorporated into the proposed WRP does demonstrate regard to views about risks to Aboriginal values and Aboriginal uses arising from the use and management of the water resources of the WRP area.</p> <p>The Authority notes the MLDRIN advice with respect to the 2020 version of the proposed WRP found that material incorporated for s. 10.53(1)(f) of the Basin Plan was rated 'Absent' (on a five-point rating scale of 'Absent' to 'Excellent'). The Authority also notes that material in the proposed WRP responds to concerns raised in the 2020 MLDRIN advice.</p> <p>The Authority has considered all material incorporated into the proposed WRP to address this requirement and the MLDRIN advice. The Authority is satisfied that this requirement has been met.</p>	
2	<i>Subsection 2 is not assessed</i>			

Section 10.54 – Cultural flows

A water resource plan must be prepared having regard to the views of Indigenous people with respect to cultural flows.

Summary of assessment test	Where this was observed in the WRP package		Justification	Assessment outcome
Cultural flows are relevant to this WRP area	True	Schedule B	Schedule B refers to WRP s. 4.4.1 as addressing s. 10.54 of the Basin Plan.	MET
The WRP has regard to the Aboriginal people's views about cultural flows	True	WRP ss. 1.3.1, 4.4.1, supporting information in ss. 1.3.1, 1.7.1, 4.4.1 Schedule C, ss. 2.3.3, 2.3.4, Tables 3, 4 Schedule C, Attachments A, D – H, K, L, N, O: Barapa Barapa Nation Consultation Report, Tables 7, 8 Maraura Nation Consultation Report, Tables 4 - 6 Muthi Muthi Nation Consultation Report, Tables 4 - 6	Text for accreditation at s. 4.4.1 states that regard was had to the views of Aboriginal people with respect to cultural flows by inclusion of material in the attachments to Schedule C. The Authority understands text for accreditation referring to 'Attachments A – O to Schedule C' to mean the attachments to Schedule C as provided with the proposed WRP. That is, Attachments A, D - H, K, L, N, O to Schedule C. Examination of supporting information in these attachments finds examples of discussions with Nations regarding the views of Indigenous people with respect to cultural flows as obtained during the consultation process. Tables 3 and 4 of Schedule C set out views about cultural flows expressed through Nation consultation processes. These views are set out in the context of comparing First Nation's objectives and outcomes for water against social and cultural objectives set out in NSW water sharing plans. This serves to demonstrate regard for those views. The text for accreditation at s. 4.4.1 also refers to the National Cultural Flows Research Project and the Pathway to Cultural Flows in Australia as providing the foundation for implementation of the NSW Water Strategy to achieve cultural water flows and the water management aspirations set out in the 2007 Echuca Declaration (described in the preceding supporting information). It also contains a commitment to apply the process developed in the Pathway to Cultural Flows in Australia, Cultural Flows – A Guide for First Nations, and Cultural Flows – A Guide for Water Managers. This also demonstrates regard to the views	

Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
	<p>Nari Nari Nation Consultation Report, Table 4</p> <p>Ngiyampaa Nation Consultation Report, Table 18</p> <p>Wemba Wemba Nation Consultation Report, s. 5.3</p> <p>Wiradjuri Nation Consultation Report, Tables 5-2, 5-3 in each volume</p> <p>Yorta Yorta Nation Consultation Report, s. 5.3</p>	<p>expressed in the Nation consultation reports by acknowledging the gap that currently exists between First Nation objectives and outcomes, and values and uses relating to cultural flows and current water management arrangements.</p> <p>Supporting information at s. 4.4.1 refers to the values and uses identified in WRP s. 1.3.1 that include values and uses associated with cultural water and flows. In particular, it notes that Aboriginal people are culturally connected to water, regardless of its location in the landscape. The supporting information at s. 1.7.1 claims that, while some examples about cultural flows set out in the attachments to Schedule C relate to surface water, these examples have been included in this groundwater WRP.</p> <p>Examination of material at s. 1.3.1 and in the attachments to Schedule C confirms this is the case.</p> <p>The Authority is satisfied that:</p> <ul style="list-style-type: none"> the views of Indigenous people (through First Nations consultation) with respect to cultural flows have been obtained regard to views obtained is demonstrated by setting out the alignment of First Nations' objectives for water management (including relating to cultural flows) against existing water sharing plan objectives in the proposed WRP and by incorporating additional material (as compared to the 2020 version of the proposed WRP) relating to these matters in the proposed WRP. <p>MLDRIN advice</p> <p>The MLDRIN advice notes improvements to the WRP material in respect of this requirement when compared with the 2020 version of the proposed WRP.</p>	

Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
		<p>Notwithstanding these improvements, the advice considers this requirement to be 'Absent' (on a five-point rating scale of 'Absent' to 'Excellent').</p> <p>The advice welcomes the additional new material for accreditation and supporting information relating to implementing the National Cultural Flows Research Project. However, the advice also notes that it is still the case that the preparation of the proposed WRP does not demonstrate that the views of First Nations regarding cultural flows were adequately sought or considered.</p> <p>The Authority acknowledges the concerns raised in the MLDRIN advice. However, as set out in the assessment above, the new material incorporated into the proposed WRP does demonstrate regard to views about cultural flows.</p> <p>The Authority notes that the MLDRIN advice with respect to the 2020 version of the proposed WRP found that material incorporated for s. 10.54 of the Basin Plan was rated 'Partial (on a five-point rating scale of 'Absent' to 'Excellent'). The Authority also notes that material in the proposed WRP responds to concerns raised in the MLDRIN advice on the 2020 version of the proposed WRP.</p> <p>The Authority has considered all material incorporated into the proposed WRP to address this requirement and the MLDRIN advice. The Authority is satisfied that this requirement has been met.</p>	

Section 10.55 – Retention of current protection

A water resource plan must provide at least the same level of protection of Indigenous values and Indigenous uses as provided in:

- (a) a transitional water resource plan for the water resource plan area; or
- (b) an interim water resource plan for the water resource plan area.


Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
There is a TWRP or IWRP for this WRP area	True	Schedule B WRP s. 4.4.3, Table 4-3	Schedule B refers to WRP s. 4.4.3 as addressing s. 10.55 of the Basin Plan.	MET
The WRP provides the same or greater level of protection as the TWRP or IWRP	True	WMA 2000, ss. 3(c)(iv), 5(2)(e), 5(3), 9(1), 55, 61(1)(a) Schedule A: NSW Murray Darling Basin Porous Rock Groundwater Sources Order WSP 2020, Pt 2, cls 11, 20, 29, 35(2), 42	Text for accreditation at s. 4.4.3 refers to the NSW Murray Darling Basin Porous Rock Groundwater Sources WSP 2011 as a transitional plan, and that no interim plans operated for the water resources in the NSW MDB Porous Rock area. The text for accreditation refers to WRP Table 4-3 for identification of the protections therein. A transitional WRP is one that is specifically listed in either Schedule 4 of the Water Act 2007 or is prescribed in Schedule 5 of the Water Regulations 2008. The NSW Murray Darling Basin Porous Rock Groundwater Sources WSP 2011 is listed in Schedule 5 of the Water Regulations 2008 as a transitional WRP which operated in the WRP area. Text for accreditation at s. 4.4.3 states that the proposed WRP provides for a level of protection of Aboriginal values and uses in the WRP area that is at	

Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
			<p>least equal to that which existed under the transitional WRP; and refers to Table 4-3 to support this claim.</p> <p>Examination of Table 4-3 confirms it identifies relevant NSW legislation/regulations that provide for protection of Aboriginal values and uses (column one); where these protections are implemented (column two); and, whether the protection is improved or retained relative to pre-WRP arrangements (column three).</p> <p>Rows 1, 2, 3, 5 and 6 of Table 4-3 identify protections of Aboriginal people's values and uses in Schedule A. The content in Row 8 relates to the content in Row 6. The other rows of the table are arrangements that were not in place in the transitional WRP and did not have any impact on the level of protection provided for in the transitional WRP.</p> <p>The Authority has examined the protections in the WMA 2000 and the expression of those protections in Schedule A and compared it to that expressed in the transitional WRP.</p> <p>The Authority has found that Schedule A:</p> <ul style="list-style-type: none"> • includes the specific acknowledgement and identification of Indigenous cultural objectives (cl 11), and • includes provision to manage the location, construction, and use of water supply works to 	

Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
			<p>prevent impacts on culturally significant areas (cl 42).</p> <p>These represent an improvement relative to the protections in the transitional WRP.</p> <p>The Authority also found that:</p> <ul style="list-style-type: none"> the provision to exercise native title rights in accordance with the Native Title Act 1993, including any native title determination and any indigenous land use agreement (cl 20 of Schedule A) ensures non-compliance with the LTAAEL or the SDL does not negatively impact BLR (Native Title) access (cl 29 of Schedule A) an application for a specific purpose access licence ('Aboriginal cultural'), that must not be granted for Aboriginal cultural purposes if the share component is greater than 10 ML/year (cl 35(2) of Schedule A) <p>represent a retention of the protections in the transitional WRP.</p> <p>MLDRIN advice</p> <p>The MLDRIN advice notes updated text in the WRP material in respect of this requirement when compared with the 2020 version of the proposed WRP. The advice</p>	

Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
			<p>considers this requirement to be 'Absent (on a five-point rating scale of 'Absent' to 'Excellent').</p> <p>The advice notes updates to text for accreditation and supporting material, but also considers NSW's claims of maintaining and improving protection were unsubstantiated.</p> <p>The Authority acknowledges the matters raised in the MLDRIN advice. However, as set out in the assessment above, the Authority considers the proposed WRP provides at least the same level of protection of Indigenous values and uses as provided in the transitional plans.</p> <p>The Authority notes that the MLDRIN advice with respect to the 2020 version of the proposed WRP found that material incorporated for s. 10.55 of the Basin Plan was rated 'Absent' (on a five-point rating scale of 'Absent' to 'Excellent').</p> <p>The Authority has considered all material incorporated into the proposed WRP to address this requirement and the MLDRIN advice. The Authority is satisfied that this requirement has been met.</p>	

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